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> AN  
APOLOGIE  
FOR VVOMEN.

OR  
AN OPPOSITION TO M<sup>r</sup>.  
D<sup>r</sup>. G. his assertion. Who held  
in the Act at Oxforde.  
*Anno. 1608.*

*That it was lawfull for husbands to beate  
their wines.*

By W. H. of Ex. in Ox.

Celoff. Chap. 3. verſ. 19.

*Husband: loue your wines, and be not bitter  
unto them.*



AT OXFORD,  
Printed by Ioseph Barnes Printer to the  
*Vniuersitie. 1609.*

< AN

# APPOLOGIE

FOR WOMEN

OR

AN APPOLOGUE TO M.

C. his affection, Who held

in the first of Oxford.

1608.

It is a true and just

law.

By W. M. F. in Ox.

1608.

His affection, your name, and be not

with him.

ACADEMY

AT OXFORD.

Printed by Joseph Stansfeld, at the

University Press.





TO THE HONOV RABLE  
AND RIGHT-VERTVOVS

Ladie, the Ladie M. H.  
all happinesse.



Adam, your commaunde is ef-  
fected. And this short dis-  
course (the cause of whose be-  
ing you are) attends your view.  
In regard whereof, obsequi-  
ously to begge your kinde ac-  
ceptance, importes a wronge  
vnto your courtesie: utterly to  
neglect your favourable censure, pre-  
sumes an over-  
prizing of my labour. To your selfe therefore I leaue  
it: Expectiug from your selfe, no other interpretati-  
on then as your selfe, faire and courteous. What  
pleaseth you not, displeaseth me. The harsh lines you  
may teach a better language. If anie thing delight,  
let it satisfie for the manie that may chance to dis-  
like. If ought offend, let it weare the blacke liverie  
of your penne dash in token of sorrow. If al through  
the weaknesse of argument, debil tate the strenght  
of so good a cause, then let all suffer for it. For I  
know that this little body of my apologie is not so ar-  
tificially featured, nor the limbs thereof so natural-

lie iointed, that (as it should) it can seeme a naturall  
 art, or an artificial nature. But your Honors importu-  
 nity of hast, must beare a part of the blame, together  
 with the shallownes of my cōcept. And being iointed  
 so sweet a yoke ile easily spurne at Detraction it self.  
 The truth is, had not your L<sup>y</sup> prefixed time dealt soe.  
 what niggardlie with me, I had dealt more liberallie  
 with it. And those things which now are but sleight  
 lie plaide withall, might haue beene more exactlie  
 handled. How soeuer it is, yours it is: and so shall be  
 euer be from whom it is.

VV H



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Chap. 6.

The Conclusion.





*An Apologie for women.*

CHAP. I.

*An Introduction to the discourse following.*



Fin all reason it hath alwaies beene granted, that courtesie may followe after with defence, where discourtesie with offence hath gone before: I cannot the but imagine this my one only Apologie for women, shall passe your gentle censures, after so many Invetiues framed against them, by their disgracefull adversaries. For although we all know that vnto woman-kinde the world oweth halfe of its life, and man is indebted the whole of his loue, yet it is a custome growne so common to vnder-valew their worth, as everie rymer hath a libell to impeach their modestie; everie phantastike a poeme to plaine their vnfaithfulnesse; The Courtier though he weare his Mistresse favour, yet stickes not to sing his Mistresse shame; The Cobler though in himselfe most disgracefull, yet wants hee not a ballade for their disgrace. And as this course is vsuall with most men, so the cause hereof is manifest vnto all. The fairest marke (you know) is most often ay-  
med

• Seneca.  
lib. 13. ep.  
89.

b Tacitus  
hist 3. lib  
ad princip:

med at ; & the goodliest starre is most of all gazed  
vpō: so womā the beautifulst creature of al, is most  
of al observed. And <sup>b</sup>observatiō as it is sometimes  
the guide vnto honor, so oftē also it is the mother  
of disgrace. Particular reasons hereof, many may  
be collected, out of the many particular humours  
of such, who stand out in disloyalty with them. For  
some man wil dispraise that woman whom before  
he adored, because her modestie hath repelled his  
vnchaste desires. Some will turne their amarus  
termes of woing into a barbarous stile of rayling,  
because for want of desert they obtaine not loue.  
Many loue not women, because they knowe not  
how to loue them. And most of all men being e-  
vil themselues, loue but few things that are good,  
and so perchance hate women also. Some like-  
wise to make ostentation of their wit vnto the  
stage. Few vpon anie shew of reason. None (I dare  
avouch) vpon anie iust cause, haue yet filled the  
world with pamphlets, things most idle in them-  
selues, and most disgracefull vnto women. But o  
vnmanlike men, and staine of your sexe! Is this a  
point of your manhood, or anie ornament of your  
valour, to busie your selues for disgrace of womē,  
whom nature hath disarmed of corporal strenght,  
and education disabled of mental courage for re-  
venge? Js this the thankful tribute you repaie vn-  
to the author of your being? Js this the sweete im-  
bracement you bestow on the paps that gaue you  
sucke? Js this the grateful allowance you afforde  
them for their sorrow and paines at your birth, for  
their

their care and diligence in your youth, for their  
 loue and carefulnesse through-out your life? All  
 such <sup>a</sup> courtesies (me seemes) should not be so vn-  
 gratefullie forgotten, much lesse iniuriouſlie re-  
 membred. But why talke I with these men of gra-  
 titude the greatest of vertues, who neuer were ac-  
 quainted with anie vertue at al? And therefore had  
 it beene the highest of womens misfortune, to  
 haue beene traduced by this infamous crew, they  
 might easilie haue smil'd it out; counting no di-  
 shonour to be evil-spoken of by them, who neuer  
 learn'd to speake well of anie. But nowe this bad  
 cause hath gotten better patrones: especially whē  
 in the Vniuersitie, in the open Act, in publike dis-  
 putation their names are called in question, their  
 capacitie thought vnfit for learning, themselues  
 adiudged worthie of blowes. To let passe the rest;  
 what more strange and prodigious paradoxe?  
 What opinion more vnnaturall and vncivill then  
 this of theirs, *That it is lawfull for a husband to  
 beate his wife?*

Most impure hart <sup>b</sup> which did first conceiue, &  
 more then most barbarous tongue, <sup>c</sup> which did  
 afterward bring forth such a monster of opinion.  
 Had I but one word to speake, (saue onlie my o'i  
 zons;) but one onlie line to write, I woulde both  
 speake and write them in defiance hereof.

CHAPT. 2.

*That it is not lawfull for a husband to beat his wife,  
 as proued by reasons drawne from Nature.*

B

And

Ausonius  
de grat.  
action. ad  
Aug.

<sup>b</sup> Diabolus  
hic fuit, vt  
opinatur  
Chrysostomus  
57. in 29.  
Gen. vbi ait  
Diabolus  
subingres-  
sus tantum  
in eis dam-  
num facit,  
vt quotidi-  
dianæ lites  
aut pugnæ  
inter eos  
nascuntur.  
<sup>c</sup> Cyclops  
fuerunt illi,  
vt conjici-  
unt quidē  
doctissimi viri,  
ex Hom. lib  
9. Odit h  
ciclo de  
Cyclop.  
--lus quisq;  
ministrat  
l'rogatis  
ac vxoris-  
bus.



**A**Nd to begin first, whence we al began, from  
*Nature* her selfe. Her eternal law stamp't frō  
 the worldes beginning in all her creatures,  
 witnesseth such a soveraigne vnion of male and fe-  
 male, that in al kindes betweene thē there is found  
 no vnkindnesse.

Translat.  
 ex Strozio  
 laur. poet.  
 vbi incipit.  
 Non solet  
 in dominā  
 leo trax  
 seuire lex.  
 nam, &c.

*No<sup>a</sup> Lions rage against the Lionesse:*

*The Tygre to the Tygresse is not fierce:*

*No Eagles doe their fellow birds oppresse:*

*The hauke doth not the hauke with talēts pierce:*

*All couples liue in loue by natures lore,*

*VVhy should not man & wife do this, & more?*

Man the great creators greatest creature indued  
 with *Remembrance* a register to recount former e-  
 vents: with *wisdome* a glasse to behold the present  
 estate of things; with *Providence* an oracle to con-  
 iecture of future accidents: aboue al with *Reason* a  
 ballance to weigh out al his actions: must now be-  
 come more cruell and tyranous, nay more savage  
 & barbarous, then verie beasts, who neither haue  
 remembrance of things past, wise dome in thinges  
 present, providence of things to come, nor reason  
 in anie thing at al. The <sup>b</sup> *Doves* are observed to be  
 most exquisite in their loue, and at the fatal depar-  
 ture of one, the other pines to death with sorrow.  
 The <sup>c</sup> *Nightingall* makes pleasant melody in his  
 loues wel-fare, but in her distresse he mournes in  
 sadder tunes. The <sup>d</sup> *Swanne* is of a nature futable  
 to his feather, white and faire, and al his feare is, to  
 keepe his mate from feare. Go therefore into the  
 fields, & the *Doves* wil read thee a lecture of loue:

<sup>a</sup> Plin. nat.  
 hist. li. 10. c.  
 24.  
<sup>c</sup> Plin. nat.  
 li. 10. c. 29.  
<sup>d</sup> Stobaeus  
 vi recitat  
 Patricius  
 & Plin. nat.  
 hist. lib. 10.  
 ca. 23.

returne



returne into the woodes, and the *Nightingals* will sing thee madrigals of loue: walke by the river, & the *Swannes* wil schoole thee the art of loue: every where such loving couples in brutish beasts will shame the disagreeing matches in reasonable creatures. For shal the bare instinct of a sensible nature worke so powerfully in this case with beasts, as none are found so beastly to infringe it; and shal the helpe of a purer essence take none effect in mā and he not adiudged worse then a beast? The *Li-* on that spareth no creature, is said to tremble at a woman, and hardly preffereth her that violence, which vtually he doth to man: as though *Nature* had taught him a more gentle behaviour towards so faire a personage, or his owne heroicke spirit to scorne of so base a victorie.

<sup>a</sup> Plin. li. 8.  
natur. hist.

<sup>b</sup> For neuer gotten was immortal fame,

By working of a siliy womans shame.

<sup>b</sup> Translat.  
è Virgil.

Aenead. 2.

Nullū me-  
morabile

romen sce-

mineā in

penā est.

S. Anbro.

Sus. tem. 1.

lib. 5. cap. 7

Plex. m. &

Arist. de

hist. anim.

The *Viper* a beast more vile then the vilest; poisonous by nature, and spitefull, odious to be seene and hatefull; Yet when the time of his breeding approacheth, withdrawes himselfe vnto the sea or rivers side, and by the gentle murmure of his knowne hisse calleth fourth the *Lāprey* with whō his nature is to ingender. The *Lāprey* being so kindly invited, doth as kindly repaire vnto him.

Whom when he perceiveth comming to accept of his loue, vomiteth forth al his poison; doing reverence (as it were) vnto his nuptial rightes: and casting away his natural corruption, meeteth his spoule in his cleanest perfection. Man would take

scorne to be thought worse then a *Viper*, and why then scorneth he not to cast out of his hart, all his cancred poison of anger, of strife, of fighting, of quarrelling, when he commeth into his Mistresse presence? To be plaine a dogge wil not so much as bite his mate, & shall a husband beat his wife, and be not therein worse then a dogge? If not, then vnhappy is the people, and infortunate the common wealth; where the liberty shal be more large, and more licentious the laws of men then of beasts.

• Plato in  
Phædon. &  
M. I. Cice-  
ro in Lelio  
Natura op-  
tima recte  
vivēdi dux.

• Aristot.  
Phy. 2.

• Arist. Eth.  
lib. 5.

It may wel be the worlds motto, <sup>d</sup> *All thinges haue Nature for their guide*. And of this al, especily Man the worlds commaunder: which we may obserue, as in the cōmon course of life; in ordering his diet, in wearing his apparell, in taking his rest: so likewise in the perfit habite of sciences; in his smoothing Rheroricke, in his sollide disputation, in his profound Philosophy. In al which the greatest preheminēce, *Art* can challenge, is to <sup>e</sup> adde perfection where *Nature* hath laid a foundation. The law then being an artificial collection of naturall precepts, how can it dispense with so vnnatural an action; as for a husband to beate his wife, the one part of himselfe, nay his other-selfe, or his better halfe? No <sup>f</sup> man did ever willingly hurt himselfe; or if any man hath, certainly he maie iustlie of all men bee helde a madde man: and therefore what mutual blowes can lawfully passe betweene mā & wife; who are one and the selfesame? Their mindes inseparably one in their loue & amity: their bodies individually the same in their childre & posteritie.

In

Indeed some ancient ages of barbarisme (before either civillity was fully imbraced, or christiane firmly established) seemed to draw from nature the practise of some such tyrannie. So <sup>a</sup> *Aristotle* reportes of the Scythians: <sup>b</sup> *Tacitus* of the Germans: <sup>c</sup> *Gellius* of the Romaines: <sup>d</sup> *Cæsar* of the French: with whom it was a received custome to dispose of their wives both life and libertie, according to their pleasure. And hence it was that Mr. Doctor seemed to alleadge his history of <sup>e</sup> *Publius Sæpronius* who divorced his wife for seeing a play. Of <sup>f</sup> *Egnatius Mæcennius* who beate his wife for being found in his cellar. Of <sup>g</sup> *Faunus* who killed his wife for drinking a cup of wine. Fit proofes for confirmation of such a truth. Recount the time, it was in paganisme and a barbarous age: Observe the persons, they lived as mirrors of rigour & cruelty, & are registred as the monumets of murther and tyrannie. Weigh the reasons that moved the therevnto, they wil sooner cast you into laughter, then perswade you of imitation. Lastly iudge of all and all is but as though a Physition should go into an Apothecaries shop, where is variety of wholesome medicines, yet prescribes hee some poyson some drudge to strengthe his sicke patient. Right so Mr. Doctor travailed over divers histories where was diversity of good examples, yet produceth he the worse of all to shoulder vp his weake opinion. Farre better besitting the place, more plausible to your auditory, and no lesse gracious for your selfe, had beene the famous examples of loving

<sup>a</sup> Arist. 1. lib. Pol. cap. 1.  
<sup>b</sup> Cornel. Tac. lib. de moribus German.  
<sup>c</sup> Aul. Gell. lib. 10. c. 2.  
<sup>d</sup> de Roman. antiquit.  
<sup>e</sup> Metellus ut alij.  
<sup>f</sup> Cæsar. cō. m. in lib. 6. de bello Gallie.  
<sup>g</sup> Stobæus ex quo recitat. Patr. lib. 4. tit. 3. & Bodin. de rep. 1.  
<sup>h</sup> Plinius li. 14. cap. 13.  
<sup>i</sup> Arnobius lib. 5. contra gentes.



husbands towards their wives, of loving wives  
 towards their husbandes, or of either loving  
 towards the other. How welcome would haue bin  
 the very name of *Hector*?<sup>b</sup> who in the destruction  
 of *Troie*, did indeed bewaile the death of *Priamus*,  
 the sacking of so great a city, the spoile of so many  
 deare and valiant brethren, the funerals of so faire  
 & large an Empire: but exceeded all excelsse in la-  
 menting *Andromache* his wife, and desired (saith  
*Homer*) to forsake heaven being already seated a-  
 mong the Gods, to defend *Andromache* distressed  
 here on earth. How pleasant had been the rehear-  
 sal of *Tygranes* loue, who with his beloved Queen  
 being taken prisoner by *Cyrus*, made a free and li-  
 beral promise of his life, to purchase her rancome?  
 What good entertainment had the storie of *Ca-*  
*lenus* had, who thought he lived no longer, then  
 when he looked on his beloved wife? In how faire  
 a language woulde *Livie* haue spoken for you, of  
*Augustus*, of *Antonius*, of *Scavola*, of *Aruntius*,  
 of *Scipio*, of *Marius*, and <sup>c</sup> other histories of infi-  
 nite other, whom for this cause, posteritie hath ad-  
 vanced aboue men, if not honoured as Gods?  
 And howbeit in womē the sexe be weaker, yet  
 not their loue. Witnesse <sup>d</sup> *Cornelia* who so dearely  
 affected her *Pompey*, that she would not suffer him  
 to go into the warres (though he were the worldes  
 terror) vnlesse her selfe in presence might waite  
 vpon him. Witnesse <sup>e</sup> *Demotia*, who having lost  
 her *Leosthenes* could not finde her selfe, and there-  
 fore through solitarinesse made a speedy voyage  
 vn-

<sup>a</sup> Hom. Ill 5  
<sup>b</sup> Zenoph.  
 in Cyro  
 luo.

<sup>a</sup> Martial. in  
 epigram.

illo. O mol-  
 les tibi quin  
 decim Ca-  
 lene, &c.

<sup>b</sup> Tit Livius  
 in diuer lo-  
 cis hist ab  
 vbe con-  
 ditā.

<sup>c</sup> Frontinus  
 in 4. l. strat.

de P. Serv.

Suet. in Ti-  
 berio de C.

Attilio.

Zonaras de  
 T. Semprio-  
 nio Pelib.

in 3. lib. de  
 M. Semprio-  
 ni, &c.

<sup>d</sup> Lucan v-  
 bise pelli-  
 cem tul x

vocantem  
 inducit.

<sup>e</sup> D Hiero-  
 nim. in lov.



vnto death after him. Witnesse <sup>f</sup> *Su'pitia*, who being adiudged to stay, and watched that she should stay at *Rome*, when her husband *Lentulus* was banished frō *Rome*, yet (notwithstanding the *Senates* commande, her princely fathers charge, the loue of her citie and country, the losse of friends & family) shee alone exposed her selfe vnto the dāger of the night, beguiled the watchfull eies of her stricte garde, brake forth of the city, and lackied him along the fields, vntil shee became the ioleful companion of his woful banishment. So little she esteemed all the worldes felicity in regarde of one *Lentulus*, and for one *Lentulus* so willingly she incurred whatsoeuer misery. Witnesse <sup>s</sup> *Panthea*, *Rhodogune*, *Laodemia*, *Martia*, *Valeria*, *Portia*, *Lucetia*, <sup>h</sup> *Penelope*, <sup>i</sup> *Alcinoe*. Millions of like, whose singular fame herein, as it hath caused antiquity to invest them in the eternal shrines of honour: so might likewise their rehearall enforced posteritie to receiue thē as the fruitful patternes of imitatiō.

But to returne to your alleadged histories: who imagines it not a simple house, that is built on such rotten posts? And who sees it not a weake defence (God wot) that hath so vnworthy props? Graunt your writers relation to be true: yet how thence proue you the action to be lawful? Since al was done vnadvisedly without discussing of the matter, wrongfully without the hearing of a iudge, wilfully without any giving of sentence, <sup>k</sup> al which the law requires. These then being savage & heathenish murders both against *Nature*, and the law

<sup>f</sup> E Plin. lib  
10. c. 3. re-  
citat D. Hi-  
eron. ibid.

<sup>s</sup> De quibus  
D. Hierom.  
to. 2. lib. 1.  
contra Io-  
vianum.

<sup>h</sup> Ovid. in  
ep. Pen. ad  
vlis.

<sup>i</sup> Ovid Me-  
tamorph.  
li. 11. fa. 10.

<sup>k</sup> Iustin. in  
sic lib. 4.  
tit. de iud.

of Nations, let me demaunde who received the greater foile, either the tyrannous husbands which rashly abused, or the modest wiues which patiently endured? If you saie the latter, where is your iudgement? If the former, of what force then is your argument? But not to trace you too farre in your owne field: Giue me leaue to remoue your case into the court of Morallity, or civil Pollicie; where if the Iurie passe with you, you shall haue cause stil to imbrace it: if not, you haue no reason longer to fancie it.

## CHAP. 3.

*The same confirmed by the rules of Morallity  
or Civill Pollicie.*

<sup>a</sup> Boindus  
de rep. li 1.

<sup>b</sup> Dr. Casus  
observat  
ex veteri-  
bus in com.  
in Oecon  
Arist. lib 2.

**M**Arriage of all humane actions is the one & only weightiest. It is the present disposall of the whole life of man: it is a <sup>a</sup> Gordian knot that may not bee loosed but by the sword of death: it is the ring of vnion whose poesie is *Pure* and *endlesse*. In a word it is that state which either imparadizeth a man in the Eden of felicitie, or els exposeth him vnto a world of miserie. <sup>b</sup> Hence it is that so mature deliberatiō is required, before such an eternal bond be vnited. The mutual affection of each pattie, the consent of parents, the approbation of friends, the trial of acquaintance: besides the especial observance of disposition, of kindred, of education, of behaviour. Now then if a man solem-

lemnize marriage vpon these due respects, he can hardly make his choice amisse, because hee is guided by vertue which never faileth her followers. But if not, he maie well bee styled a foole, because he is carried awaie with passion, which easilie im-  
poisoneth the best designs. The man therefore that is truely wise cannot but choose a vertuous wife, and so by consequent liue quietly with her. And if any take a vicious woman, it argues his owne folly, and so by good reason may patientlie endure her. For now he hath, but that which before he desired, and he desired that which then he fancied; though indeede not from the informance of a true iudgement, but by the inducement of a giddy affection.

And yet in this infortunate case, it is the greatest folly of al follies, for a man to aggrandize his owne misfortunes by quarreling with his owne choise. For that dissention taketh away the very end and vse of marriage, debarreth from all comfort and vtility thereof, banisheth its icy and felicity, no man is so ignorant but he may wel knowe, none so obstinat but he must needs acknowledge. What wife is there so absolutely void of all passionate spleen, who wil so lovingly performe her marriage-rites, so carefully bring vp her children, so providently order her house, so diligently direct her servants, for a disagreeing as for a loving husband? <sup>a Plautus in</sup> VVho wil buy blowes as deare as shee will <sup>Pseudolo.</sup> pay for loue? Or what husband is there so cleare without gal, that wil so intentiuelly augment his



patrimonie, so warily imploie his stocke, so heedy-  
 lie follow his affaires, so wel in al things vse al his  
 diligence, for a wife whom he loatheth, as for her  
 whom he loveth?<sup>b</sup> Who wil be as devout a beadle-  
 man to the Saint he fansieth not, as to him whom  
 he chiefly adoreth? So that indeed neither (as they  
 shoulde) caring for the other, both receiue an infi-  
 nite damage to themselves; and for their posterity  
 leaue it most infortunat. Infortunat in their birth,  
 for feare their dissentious parents derived to them  
 their dissentious, spirites. Infortunate in their edu-  
 cation, for feare their backward parents hindered  
 their instruction. Infortunat in their estate for  
 feare their carelesse parents diminished their por-  
 tions. Infortunat in their credit, infortunat in al,  
 for feare least al their parents faults redound vnto  
 the childrés paine. Whē as in agreeing matches,  
 where man and wife make vp the sweet harmonie  
 of mutual loue, in a reciprocal consent and vnion;  
 yee may obserue a heauen of gouernmēt, the hus-  
 band intent on his businesse, the wife imploied in  
 her house, their children brought vp religiously,  
 their attendāts, their servants, euery one (as <sup>c</sup> *Vir-*  
*gils* common-wealth of Bees) busied in his place.  
 Whence towards the autumne of their yeeres,  
 they gather in the fruitfull haruest of true friend-  
 shippe, of competent riches, of good estimation,  
 of selfe-content.

<sup>b</sup> Tacit an-  
 naliū l. 2.

<sup>c</sup> Virg Ae-  
 nead lib. 1.

<sup>d</sup> Arist. li. 3.  
 Eth. cap. 1.

But let vs discarde those vtilities a while. And  
 suppole thy wife not as thy wife, but as a woman  
 only. Tel me then I praie (since <sup>d</sup> euerie action of  
 man



man must be tutored by some vertue or other) what appearaunce of vertue can it be for a man to beate a woman? It is not <sup>c</sup> *valour*, because that demands equallitie of cōbatants. It is not <sup>f</sup> *wisdome*, because that depends on a staide carriage. It is not <sup>s</sup> *Iustice*, because that requires a serious deliberation: not <sup>h</sup> *Temperance*, because that wants vnsettled passion. And if none of these, then no vertue at all: <sup>i</sup> for all other vertues are comprised vnder them, as some lesser dignitie vnder a more ample stile. Tel me likewise to what end should men attempt such violence? If a woman be perverse, shee there by amendeth not; if gentle, shee deserues it not: if you seeke praise thereby, you shal merit laughter: if rewarde, you shal be sure of shame. Whereas therefore you are guided by no vertue, nor directed vnto anie end, who but stonie hearts will laie their violent hands on a womā the patterne of innocencie, the Queene of loue, the picture of beauty, the Mistresse of delight? who could with blows deface those rich ornamēts of nature? Who could quarrel with her cheekes so purely mixt with Lillies and Roses? Who could violate those eies the spheares of light and loadstars of affection? Who could wrong those lips such rubies of value, and rivers of delight? Who would not imagine those iuorie armes fitter for imbracing then buffeting? And who but thinke thole snowy hands more apt for a seamsters needle, then a fencers chudggle.

<sup>c</sup> Cicero in officijs lib. 1. c. de fortitud.

<sup>f</sup> Idem lib. 2. offic. ad princip.

<sup>s</sup> Idem li. 1. offic. circ. medium.

<sup>h</sup> Idem l. 2. officiorum.

<sup>i</sup> Idem offic lib. 1. tract. de fortit.

<sup>k</sup> Translat. è Petron. vbi incipit Non amat arma Venus, &c.

<sup>k</sup> *Beauty must not acquaint her with the warres;  
And therefore hates such men, as loue such iars.*

15 Phillip.  
Syd. Arcad  
Lib. 2.

And howbeit al women are not beautiful, neither hath nature bestowed al perfections on every wife: yet a true-louing husband must imagine the al in his truly beloued wife.<sup>1</sup> For loue esteemes not a thing beloued, as in it selfe it is; but as it appears in the lovers eie. And therefore a womā that is not faire, may yet make a faire wife, in regard of her husbāde; as if shee be only faire in her husbādes thought. For he sees her with his owne (not with others) eies: loues her only with his owne hart; inioies her only to his own content; in her then who need he to please but himselfe? So that if thy wife bee not fairer to thy-selfe then other women are, thou lovest her not truelie. And if thou lovest her not, why diddest thou accept a loathed companion? Why diddest thou dissemble with God before whom thou professedst loue? Why diddest thou lie vnto Man, in whose presence thou promisedst loue? Or if shee be, (as indeed shee should be) fairer in thine owne eie, because dearer to thine own heart, with what art canst thou turne rebel vnto loue, & whom before thou lovedst, presently hate her: or remaining constant with what face canst thou looke vpon thy beloued, and instantlie beate her? No, no: heaven may as soone sinke into hel as perfect loue turne into hatred: and whole rivers of water may alwel spring out of flames of fires, as violent blowes proceede frō seruent loue. In a word therefore, if thou louest not thy wife, thou hast plaide the hypocrite, and so with shame maist beate her. But if thou louest her, thou hast per-

performed thy vow, and so with due respect must honour her.

Neither may it be thought a smal reason to deter al husbands from such violence, to forecast the dangers that may ensue thereof. For diverse women being of a diverse stature, strength, complexion and disposition, there must needes fall out a diverse event of such an action. As for other men I dare not speake: and for M<sup>r</sup>. D<sup>r</sup>. I know not what may befall: but if I shoulde chaunce to marrie with a stoute and valiant woman, such as either <sup>m</sup> *Penthesilea* was amongst the *Amazons*, or the Lady <sup>n</sup> *Parthenia* of *Greece*, or the Empresse <sup>o</sup> *Livia* in *Rome*, or some other of farre lesse valour: & after a while from *Cupids* warres fall vnto Martial armes, I doubt my learning woulde not saue mee from some vnlearned blowes. If I shoulde accept of a weake and feeble wife, such an one whose courage is daunted with a worde, whose Innocence is her defence, whose yeelding her resistance, and yet play the Tyrant stil, and so dispatch her; I am sure my law wil not free mee from the tribunall of heaven, howsoever it cleare mee from the judgement of man. Suppose I shoulde marrie a modest matrone, whose speech, gate, carriage, and behaviour are as cleare as Christall, all without blemish, and yet al please mee not without some ciuil warres, howe shoulde I liue offensive to my friends, vpbraid by mine enemies, of most men hated, beloued of none. Lastly if I should light on a light hul. wife, who yet being civilly en-

<sup>m</sup> Virg. Aenead. lib. r.

<sup>n</sup> St. Phil. Syd. Arch. lib. 3.

<sup>o</sup> Aerodius rerum iudicatarum li. 8. cap. 8.



treated, might civilly demaine her selfe, but being trodden vpon (as everie worme) wil turne againe: how iustly might I weare <sup>p</sup> *Vulcan's* night-cappe on <sup>q</sup> *fooles holydaies*, and in sad devotion do perpetual homage vnto the <sup>r</sup> new moone. Now therefore a farre safer course it is for vs, to lay aside our weapons, and rest in tearmes of loue, then to vèture our selues in so doubtful a ieopardy. And et our wiues bee what they be, it is our wisdom now to loue them, since it was our fortune first to haue them.

<sup>p</sup> Vide Heroditum in Melpomone.

<sup>q</sup> Vide T. Livium lib. 45. hist. ab vrbe cond. ad finem.

<sup>r</sup> Vide Ovid. Amorū 3.

<sup>p</sup> Ut habet Iuven. Sat. 13. Velocius & citius nos corrumpunt viriorum exempla domestica, magnis cū sub-antanimos auctoribus.

<sup>q</sup> Plutarch. in lib. Con-nub.

<sup>r</sup> Vives ita recitat in l. de off. mar ex Stabeo.

And as the private event of this action must needs be inconvenient vnto our selues, so the publike example thereof is dangerous vnto the common-wealth. For whatsoever in this kinde is committed within our own family, is acted (as it were) on an open theater, where wee haue store of spectators: our children, our servants, our neighbors, sometimes our nearest kindred, oft times our dearest friends. Who perchance (as most men are) being ready to followe the ill <sup>r</sup> example of others, may proue by little and little the verie abstracts of impietie. Especially when in this case we haue experience of so many cruel & execrable murders. Some through open tyranie, as of <sup>r</sup> *Pompeia* by *Nero*; some through secret villanie, as of <sup>u</sup> *Apro-nia* by *Sylvanus*: some through strangling: some through poisoning: some through false accusing: too too manie through pining awaie at their husbands vnkindnes. With al which kindes I could haue wished that this our white *Albion* had never beene

beene bespotted. Now in those hainous crimes though thy selfe perchance abhorrest to bee an actor, yet to teach the principles which breed these conclusions, or to be the exemplarie cause which bringeth forth these effects, wil appale anie morall man, and touch a christians conscience. For faultie is he that giues the occasiō, as wel as he who commits the action; seeing men are as greedy to catch at opportunity, as a fish to leape at the hooke, especially when the one hath a pretence of law, as the other a shew of baite.

Besides it is a maine hinderance to anie publike preferment, for how can he be thought fit to manage the affaires of a common wealth, who is not able to keepe orders in his owne house? How can he wel preferue peace among the vnconstant many, who is at daily strife in his owne family? <sup>u</sup> *Gordias* the Rhetoritian made an oratiō vnto the *Grecians* being then in some ciuil broiles, to perswade them vnto concord; and having generally wonne the harts of both sides, *Melantius* his aduersarie replied. O yee foolish *Grecians*, is this fellow fit to perswade you concorde, who liues himselfe in perpetual disention? Can he rule the whole cittie (thinke you) in peace, where are so many diuerse mindes, as there are diuers men; and was yet neuer able to gouerne his house in quiet, where are none but his wife and himselfe? Which speech of his to this effect, so possessed the people, that what before they were fully perswaded of, they now but faintly believed, & so by degrees falling into a per-  
fit

<sup>u</sup> S Hiero-  
nimus li 1.  
contra Iulii,  
anū tom. 2.

fit relapse of discorde; whereas at the beginning they entertained him with good applause, in the end they hissed him frō the barre with this acclamation, *Gordias rule thy selfe first at home, then after rule us at Olympia*. Neither was this *Gordias* his fortune only, but it is a common brand of infamie to al his followers; who alwaies by their ill private carriage draw vnto thē suspicion of their like publike government.

• Heroditus  
in Clio.

Wherefore antiquity hath beene verie provident herein. • When as the chiefe guests at their marriage-feasts, vsed to offer sacrifice, for those that were married. But before they came vnto the altar, they purified their oblation from its gal, and spiced it with fragrant odours. A custome in my sense not so ceremonious, as iudicious, whole moral is given by the <sup>b</sup> best moralist to pretend a due-ty of man and wife, that in them should bee no gal or bitternes, but the sweete relish of pleasing loue. They themselves should bee as <sup>c</sup> *Virgils* vine and elme, the tendernes of the one supported by the others strenght. Their hearts as <sup>d</sup> *Leda's* twins both interchangeably imbracing each other. Their house as <sup>e</sup> *Plato's* citty, wherein nothing must bee called *mine* or *thine*; but all things common vnto them both: nothing peculiar to the husband, nothing proper to the wife, which vpon eithers occasion is not to be imparted to the other. And if those singular pares and paralels of friends (whose fame with golden wings flies throughout the world,) nothing was singular, al things mutual: in  
prof.

• Plura<sup>a</sup> in  
Cōnubial.  
• Virgilij  
Egloga 5.  
vitis vt ar-  
boribus  
decus est,  
&c.

• Ovidius  
lib. 6 Met.

• Plat. in 1.  
lib. de re-  
pub. siue  
de iusto.



perity mutual ioy; mutual sorrow in adversity: in adventures mutual aide; mutual triumph in victories: in al things mutual loue the mother of al this mutuallity? What lesse can we expect in mariage, a stronger bond then friendship, where to the present fruition of a friendly mate, is added the hopeful expectatiō of future issue? Now we never read nor heard of any of those friends who gaue a blow vnto his friend, either moved therevnto on violēt passiō, or otherwise induced by any occasiō. Why then should husbands sue for a toleration to beate their wives, to whom as they are in society more nearely linked, so in loue more dearely engaged then to their dearest friend? Many are the friendly offices of thy friend; many more of thy wife. Shee sits at thy table: shee lies in thy bosome: she shares of thy grievances and lessens the burden: shee participates thy pleasures and augments the ioy: in matters of doubt shee is thy counsellor; in case of distresse thy comforter: shee is a cō-partner with thee in al the accidents of life. \* *Neither is there* any sweeter taste of friendship, then the coupling of soules in this mutuallity either of condoling or comforting: where the oppressed minde findes it selfe not altogether miserable, since it is sure of one which is feelingly sorry for his misery. And the ioyful spends not his ioy either alone, or there where it may be envied: but freely lends it to such a wel grounded object, from whence he shal be sure to receiue a sweet reflexion of the same ioie. And as in a cleare mirrour of sincere goodwill see a liuely

\* S. Phil.  
Sydn. Ar-  
cad lib. 8.

picture of his owne gladnes. For which cause especially (as I conceiue) *Isocrates* <sup>a</sup> cōdemnes him for most lewdly disposed, who by his faire speech and close demainour hath wooed a virgin, & in pomp & loyality married her his wife, will yet through anger or folly liue at variance with her. <sup>b</sup> *Seneca* termes the brawls in marriage worse then divorce from marriage. <sup>c</sup> *Cato* plainly calls it sacriledge for a husband to beat his wife. Such as is the soule (saith <sup>d</sup> *Plutarch*) in regard of the body, such is the husband in respect of his wife, both do liue in vniō, in disunction both doe perish. <sup>e</sup> True loue is the best amatorie or chiefest medicine to breede true loue: <sup>f</sup> And therefore if thou looke truely to be beloved of thy wife, first loue her truely: for els howe canst thou require that for thy selfe of her, which thou affordest not frō thy selfe vnto her. She may in this case answere thee as <sup>g</sup> *L. Crassus* the Senator replied on *L. Philippus* the Cōsul; how should I shew my selfe a Senator vnto you, whereas you behaue your selfe not as a Consull towards mee? How should a wife proue loving vnto her husband when as her husband proues not loving vnto her? For both in loue and friendship the demaunde of *Martial* vnto his *Marcus* stāds with good reason.

<sup>h</sup> *If Pylades thou wilt me haue,  
Then (Marke) Ile thee Orestes craue.  
And not in words thou must it proue;  
VVilt be belov'd then thou must loue.*

Loue is a relation, and must haue two subiects for its residence, as wel the husband as the wife: if it  
finds

<sup>a</sup> *Isocrates*  
in *Symma*.

<sup>b</sup> *Sen. li. ad  
Gallionem  
de reme-  
dijs fort.  
c* *Plu. in vi-  
ta Censo-  
rij Cat.*

<sup>d</sup> *Plur. li. de  
præceptis  
connubial.*

<sup>e</sup> *Lodo. Vi-  
ves in li de  
offic mar.*

<sup>f</sup> *Sen. ep. 9  
ad Luciliū.*

<sup>g</sup> *Valerius  
lib. 6. cap. 2*

<sup>h</sup> *Martia. e-  
pig. lib. 6.  
Translatio  
eius vt præ-  
stem Pyla-  
den aliquis  
mihi præ-  
stet orestes  
Hoc non fit  
verbis,  
Marcevt a-  
merisama.*

finde not good intertainment with one, it departs from both. Both therefore must be like *Crateres* and *Hyparchia*,<sup>i</sup> who were said to see with double eies, because in mutual loue they acquainted one the other with passage of al things that concerned them. So that as the Prophets in *Israell* were sacredly intituled<sup>k</sup> *Seers*, because they had a double sight, of nature and from God: so was *Crateres* in Athens iestingly tearmed a<sup>l</sup> *Seer*, because he vsed a double sight, his wiues and his owne.

<sup>i</sup>Vide Lo-  
dovicum  
Vivem de  
off mar.

<sup>k</sup>Sam.9.6

<sup>l</sup>Supra me-  
relin.

And howsoever we exclaime against women, that they are vnworthy of such respect by reason of the multiplicite of their supposed infirmities: Such words often flash forth indeed, but from the pregnancie of wit, not from the soundnes of iudgment: spoken either from a preiudicate opinion, which ever miscarieth, or from particular example, which neuer concludeth. For instance we may hold them vnconstant in their resolutions, shallow in their iudgment, lavish of their tongue, and with so many weakneses beweaken this weake sexe, as that we may reviuue that old theorem hissed long agoe from of the stage of vertue,

<sup>m</sup> Of women-kinde found good ther's none:

And if perchance there be found one;

I know not how it comes to passe,

The things made good that evill was.

<sup>m</sup> Transl.  
veteris car.  
Femina  
nulla bona  
est, vel si  
bona con-  
tigit vni,  
Nescio quo  
pacto res  
malafacta  
bona est.

A flat impiety against the al Creators al sufficiencie. Who when hee had built this worlds faire house, lookt in every corner thereof, & saw that al was good, yet they in the fairest roome of all, haue



found that al is naught. And if you flie from their first vnspotted creation vnto their now corrupted dispositiō, what priuiledge haue men beyond women? They are both made of one mettall: cast both in the same mould: al are not good, nor the most best. But if any might challenge preheminance it should seeme the woman might, whose complexion is purer, which argues a richer wit; whose passions are weaker, which pretend a more vertuous disposition. In fine therefore dislike of them we cannot, whom nature hath every way so curiously framed, vnlesse we more dislike of our selues, who are the monuments of her rougher workmanship.

¶ S. Aug. li.  
19. de ciuili-  
tate Dei.

¶ Arist. in 1.  
lib. physic.  
¶ Sen lib. 1.  
de clemē-  
tia. Et Gell.  
noct. Attic.  
lib. 6. c. 14.

Yet for your pleasures sake, suppose women to be as bad as you would haue thē. Say they are past al vertuous modesty: sweare they are beyonde al hopeful recovery. Be it so. I demand thē, wherfore should they be beatē? ¶ None but final punishmēt is there to be inflicted, where the person punished cannot be amended. Women (say you) are past amendment, and therefore (say I) they are past punishment. It \* is an axiome in Philosophy, that where the cause is takē awaie, the effect perisheth, and it is againe as firme a position in humanitie, that amendment is the chiefe (if not sole) cause of everie such punishment: There being thē no hope of the one, there ought likewise be no exaction of the other. Now that womē wil never be amended it is as commō a phrase in our aduersaries mouth, as *what lackeyee in the Exchange*. So that it was growne long since vnto a proverbe,

*They*

# An Apologie for women.

83

¶ They wash a seat  
To make it white as snow:  
¶ Who women beate

¶ Transl.  
provc. can.  
ille lavat la-  
terem qui  
castigat  
mulierem.  
¶ Arist. in  
Oecon. lib.  
1. c. 3. & 4.

To make them vice forgæ. Lastly ¶ Aristotle  
(whose words are maxims in Philosophy, & his *ipse dixit* an authentical prooffe) seemeth herein to  
soare aboue himselfe, & leaving his wōted schoole  
of humanity, to speake frō out the sacred chaire of  
divinity. *The divine providēce*, (saith he) so framed  
mā & womā, that they of necessity must be of one  
society, otherwise how could they perpetuate the  
worlde by their offsprings succession, since neither  
man without woman, nor woman without man cā  
haue any issue? Wherefore they were made both  
like, & yet dislike. like in specifical nature, their bo-  
dies of the like feature, their soules of the same es-  
sence. Dislike in the Individual, the one hotter and  
drier, th'other colder & moister, that out of this dis-  
agreeing cōcord of a divers tēper, should proceed  
the sweet harmony of agreeing loue. The one strō-  
ger, the other weaker, that the stronger in loue  
should demaine himselfe more roially; the weaker  
for feare should behaue her selfe more curteously.  
The one valiant & laborious in the fields; the other  
milde & diligēt within the doores: that what the one  
had painfully gottē abroad, the other might careful-  
ly cōserue at home. The one fairer, & as a delight-  
some picture of beauty: the other more sterne, & as  
a perfit mirror of manhood. The one more deeply  
wise, the other of a more pregnant wit. Both  
which being by the sacred power of mariage made

Idem. ibid  
e 4 vbi-  
ges mariti  
erga vxor-  
es consti-  
tuit.  
Vt memi-  
nit. Plat. in  
Gorgia &  
Arist. hoc  
in loco.

Arist. ibi-  
dem.

but one, the <sup>a</sup> first condition of their *Vnō* is, That  
no wrong should be done by either to the other. For  
by the <sup>b</sup> Pythagorians law of hospitalitie it was de-  
creed, that None who entered into an others house,  
should for the time of his aboad there, suffer any kind  
of iniury upon any occasion. A husband taketh his  
wife from her friends, disacquainteth her with her  
kindsfolkes, debarreth her her parents sight, and e-  
strangeth her from whomsoever was dearest vnto  
her; he takes her into his own hospitality; receiues  
her into his own protection, & himselfe becomes  
her sole Guardian. Wherefore then to beate and  
abuse her, is the greatest iniury that can be against  
the law of *hospitalitie*. This law (we read) was so  
religiously observed of Antiquitie, that had anie  
one come vnder their rooffe (though he were their  
mortal enemy) yet dared they do no other, but en-  
tertaine him with faire language, and send him a-  
way with safe conduct. And hence it was that  
<sup>c</sup> Themistocles being banished from Athens, and  
pursued by the Athenians, was forced to flie for  
rescue vnto the house of that citizen, who had e-  
ver beene his mortal enemy, & at that present the  
present cause of his banishment. Whereinto ne-  
verthelesse being entered, he was curteously re-  
ceiued, and delivered forth in friendly manner.  
Should then a Christian deale more roughly with  
his wife, then the heathē would with their enemy?  
Surely the world wil condemne vs for men of litle  
wisedome, or els it would neuer haue commended  
them for their laudable custome.



Let me ioine vnto Aristotle a follower of his, a worthy philosopher and famous<sup>a</sup> Doctor: whose opinion is, that wiues are to be perswaded by reason, not cōpelled by authoritie: led on by perswasion, not drawne by cōpulsion, induced by lenity, not cōstrained by severitie. For they are one flesh, one minde together with vs: howbeit then this minde bee troubled with perturbations, and this flesh be wounded with affections, yet should we seeke some cordial to heale them, not a Corrosiue to afflict thē, for by afflicting them we afflict our selues. But to passe this easier combat, & to enter the lists with you in your owne schoole, giue me leaue to alke counsell of the *Law* in this case.

*Vir orna,  
rill. D.D.  
Casus in  
Commenc.  
suis in hūc  
locum,*

CHAPT. 4.

*The same discussed by the Civill and Canon law.*

**A**nd as the law in general is generally held the ground-work & fōdatiō of a cōmō-wealth, in whose bosome iustice is seated the sole preserver of good government: so the *Canon* and *Civill* of al other the *species* are by most approved (yet how iustlie I cannot tel) the chiefeſt formes thereof. Whether it bee for its largenesse and vniuersalitie, because obserued in almost al our christian world: or for its plainenesse and perspicuitie, because applied wel neare to each particular case of each seuerall estate. Neverthelesse in these also by my slender observation I haue found a certaine kinde

kinde of stricknesse and obduritie, against no con-  
 dition more then against the estate of wiues. For  
 instance.<sup>a</sup> It decrees, a wife shall loose her dowrie  
 for giving a lascivious kisse. <sup>c</sup> That a wife is legally  
 bound to follow her husband wandring at his plea-  
 sure from citty to citty. <sup>d</sup> Be it, from one land into  
 another region. <sup>e</sup> Be it, from her owne country into  
 banishment it self. <sup>f</sup> Especially if it be in pilgrimage  
 vnto the holy land. <sup>g</sup> That the wife is onlie dignifi-  
 ed by the husband, and not any waies the husband  
 graced by the wife. <sup>h</sup> That the husbands suspicion  
 of his wifes lightnes may bee the wiues expulsion  
 from her husbands company. Lastly, if a <sup>i</sup> wife play  
 the Adulteresse (a fault indeed deserving no ex-  
 cuse,) her husband may then produce her into pub-  
 like iudgment, depriue her of her promised dowry  
 and expose her to perpetual divorcement. <sup>k</sup> But if  
 the husband commit the like offence, though it were  
 as open as the sun, & as odious as hate it selfe, yet  
 the wife may not in publike as much as open her  
 mouth against it. Infinite such other. Hard impos-  
 sitions in my weake sense for so weake a sexe, And  
 such also as long since haue beene deplored by Sy-  
 ra in the Comedian

<sup>a</sup> Anth. cōst.  
 Neop. lib. 3  
 rubrica. 46.  
 Idem. Aur.  
 quæst. per  
 lo. Acar. q.  
 34 nu. 2.  
<sup>c</sup> Jason in l.  
 de Att. ff.  
 Idem. Dua-  
 con. intit.  
 soluto ma-  
 trimonio.  
<sup>d</sup> Petr. de  
 Ancha. su-  
 per decret.  
 in c. num.  
 16.  
<sup>e</sup> Alcitr. t. 2.  
<sup>f</sup> D. Aleys-  
 us. de le. in  
 l. 5. ad l.  
 Jul. v. l. 4.  
<sup>g</sup> Com. op.  
 lib. 5. tit. de  
 nupt. 2.  
<sup>h</sup> Decis Vi-  
 vij. lib. 2. de  
 ci. 241. nu. 4  
<sup>i</sup> Bald. &  
 Ang. Aret.  
 in l. imp. ff.  
 de statu ho-  
 minis.  
<sup>k</sup> Cod. lib. 9  
 co. 7. ad le.  
 Jul. de adul-  
 & stupr.  
<sup>l</sup> Transl. ex  
 Plauto in  
 Com. Mer.

*Alas we women liue in servile awe,  
 But men inioie a freedome of the lawe.  
 For if a husband serue in Venus pay  
 Apparantly, the wife must nothing saie.  
 Yet if a wife chance steale her wantonneſſe,  
 The law is open for the mans redresse.*

Æscastor (inquit) lege dura vivūt mulieres. Multoq; iniquiore mīlītr, quā viri, &c.

*But were the lawes equall: to both the same,*

*WVe soone should see who most deserveth blame.*

If the adultery of a wife be a wrong vnto the husband, why not the adultery of an husband an iniury vnto the wife? Or if suspitiō only may discharge a man of his wife, who is more happy thē the iea- lous husband, who as often as his minde changeth may therewithal change his wife? Or if al the lustre and glory of wedlocke descend only from the hus- band vnto the wife, and none reflexe againe from the wife vnto the husband, it is hard to be concei- ved how there cā be a true society, or a fit match? The like may be said of the rest. But al are so palpa- bly against reason, that there is no reasonable mā who wil seeme to reason for them.

Nowe the rigour & severity of these & the like laws against womē, are supposed by<sup>b</sup> some to haue proceeded from the lawgivers, not hate but igno- rance. Who for the most part (altogither the Ca- nonists) being single and vnmarried mē, knew not so wel the estate and mysterie of marriage. And so conceiving perchance no better of a wife, then as a mans best servant, ranked thē in a degree of two low servility. Neither is their reason vnprobable. For who can discern the suns brightnes that ne- ver sawe the light? Who can iudge of a pure scar- let who never was acquainted with difference of colours? who cā giue a true cēsure in schollership, who never was so much as baptized at the Muses font? Right so who cā rightly estimate the rites of marriage, who never knew the happines thereof?

<sup>b</sup> Vide Ty-  
raquillum  
de legibus  
connub.

E

But



But I accuse not the law: for these former positions are for the most parte but deductions from thence. Neither reprehend I these Law-givers; for they were ancient trophees of yet living glory. Yet needs must I finde some fault with some Interpreters of the law, who fit the square vnto the timber, not the timber vnto the square: working the law as a waxen nose hither and thither, as the tide & tempest of their braine-sicke fancie driues them. Which no where is more apparently seene, then in the case we haue now in hand. For in the whole body of either Law, Canō or Civil, I haue not yet found (neither, as I thinke, hath any man els) let downe in these or equivalent termes, or otherwise past by any positive sentence or verdict *That it is lawfull for a husbände to beate his wife.* But whatsoever is cited thēce are either far fetcht conclusions, or vnfriendly sequels, which hang as wel together being toucht in iudicious trial, as the ioints of a rotten carcassee engibbited, being tossed with a violent winde.

There being nothing then directly against vs in the substance of the law, let vs see what the shadows thereof I meane the Interpreters please to determine. Whose opinions I finde as various, as they make the subiect of their opinion vncōstant. And therefore I must place them in their severall rankes.

•Glos. in l.  
& si quem-  
cunque pa-  
rag. vi in fi.  
Rad. Aqu.

In the first such \* who peremptorily hold it law-  
ful. But finding themselues oreprest with contrary  
reasons; as men altogether desperate vse such tur-  
nings

nings and windings; such evasions, and contradi-  
 ctions; such poore shifts and trivial sophismes, as  
 the learned may well laugh at, the ignoraunt per-  
 chance admire. If you haue seene a mill-horse pa-  
 sing his circle, or a spannel turning round after his  
 taile, you may iustly conceiue how those mē tread  
 the maze of their vncertaine opinion. Some of  
 them, and amongst this bad the best: hold it lawful  
 but not convenient. Sillic men, not knowing that  
 good lawes are never the direct authors of incon-  
 venience. Some a little more fronticke then the  
 first, thinke it lawful & convenient too, but it must  
 bee but a little forsooth, slightly, and but seldome.  
 Having indeed forgottē, or els hauing never lear-  
 ned, that circumstances can but lessen a fault, ne-  
 ver of an action absolutly evil cōuert it into good.  
 Some other there are the overgrowne monsters  
 of tiranie, who proclaime it frō out the top of fol-  
 lie; That a husband may beate his wife much or li-  
 tle according to his pleasure, and as the occasiō is.  
 Nay more that he may publikely shame her, and  
 if he lists imprison her too. Mē who seeme to haue  
 banished al humanity; of an yron hart; of a brazen  
 brow, and both so cankered with vice, that vertue  
 can get no impression. For what is it that letteth  
 loose the raines vnto furie, and giues madnesse its  
 whole scope? What is it that violats the holy rites  
 of marriage? What is it that infringeth the sacred  
 bonds of loue? What is it that breeds horride and  
 domestical massakers? What is that aboliseth all  
 vertuous and matrimonial societie, if this do not?

Alb. Grand  
in tract. ma-  
lefic. tit. de  
pæ. reo. col  
vlt.

Lucas Pen  
in lib. qui-  
cunq; Col.  
2. & 3. C. de  
Mil. lib. 12.  
lo And. &  
Panor. in  
de lit. ille  
col. 2. in v.  
incertis.

hic col. pe-  
nul. ver.

A. Aurex  
quæst. lib. 3  
quæst. 18.

nu 9 & 10.  
Alexander

Consil. 113

Col. 1. & 2.  
v. 3.

Bald. Con-  
sil. 176.

Bouhic. su-  
per 2. decr.  
de iure ju-  
rando.

Plures si  
velis quore

A Tara  
quellam. de  
legib. con-  
nubialia  
gl. 1.

Donellus  
de iure ci-  
vili 13. c.  
21.  
Decianus.  
leg. 9. c. 11.  
num. 17.  
And. Tira-  
quillus de  
legib. con-  
suetud. aureū  
opus.

Anchar.  
Conf. 408.  
n. 3. Iason.  
Luppus An-  
gelus Are-  
tinus ple-  
riq; alij.  
Tar. vid gl  
1. de leg.  
con.

Transl à  
Sta ubi in-  
cip Quorū  
sacra tenet  
sacris redi-  
mita, &c.  
Bursarius,  
eq. aur. in  
perialis au-  
le Com.  
Palestin. in  
mag. op.  
Guido a  
Bayso.  
Val. Fost.  
Barbat.  
Bolognet.  
D. de Rota  
Decius, &  
maxima

sane part in utroq; iure periti.

In the second ranke are those, <sup>b</sup> who out of a  
staide iudgment and vpright minde, hold it not on-  
ly vnlawful, but an odious, vnmanly, and vnseeme-  
lie thing. Odious in respect of the breach of their  
faith given in wedlocke. Vnmanly in regarde of  
woman weaknesse, and imbecillitie. Vnseemely  
for examples sake. And therefore in consideration  
of all is altogether vnlawfull. Learned & vertuous  
men

*Whose praise the sacred Goddess of eternitie  
keeps hallowed in the eternall shrine of fame:  
Vertue doth build them trophies: Dignitie  
crownes their desert; & waites vpon their name.  
And worthy are they of a marble stone,  
Made blessed by an Homers pen, or none.*

In the third are such, <sup>b</sup> who though they haue writ  
ten whole tractes and large volumes concerning  
the estate of wiues, of their dowries, of their inhe-  
ritance, of their portions, of their vows, of their di-  
uorcements, and like infinite circumstances. Yet  
haue not a word of this question, nor vouchsafe to  
grace it with a graceful terme. Perchance because  
they thought it so hainous & ougly a paradoxe as  
vnfit to be matched with so many honest & good-  
ly precepts of the law; or els so vile a position as  
vnworthy to be affirmed by a Lawyer.

These are the opinions. So disagreeing you see  
and altogether contrary, that whosoever waigh-  
eth them in the true scales of an vpright iudgmēt,  
can by them, but hardly rest satisfied in them. For

where



where truth seemeth to haue taken vp her seate,  
there authority disguiseth her; and where she can-  
not be found there fancie would needs discerie her.  
Everie man making an Idol of his owne conceite,  
and partially impairing an other mans iudgment.  
Not finding therefore in them the certaintie wee  
seeke for: let vs compare reason vnto reason, op-  
pose Lawyer vnto Lawyer, conferre opinion with  
opinion. And drawing frō the law it selfe certaine  
grounds and foundations in this point, by the full  
clearing of them, we shal giue a faire light vnto  
our intended purpose.

My first ground shalbe the<sup>e</sup> superiority of hus-  
bandes over their wiues: wherevnto answereth  
the<sup>d</sup> reverence of wiues towards their hus-  
bandes. This superioritie appeareth first in the  
manner of their first wedlocke, wherein the wo-  
man was made<sup>e</sup> of man, and<sup>f</sup> for man, and given  
in tuition by God<sup>s</sup> vnto man. Secondly in the  
difference of their sexe, because *Nature*, and the  
God of *Nature* in everie kinde hath given prehe-  
minence vnto the male. Thirdly in mans vniversal  
soveraignetie, which he receiued ouer al creatures  
<sup>h</sup>when God installed him his vice-roy ouer all  
the world. And howsoever it was not so absolute a  
prerogative in regard of his fellow-woman, as it  
was in respect of others, because she was ioin'd in  
commission with him. <sup>i</sup>Yet such it was as might  
wel beare the title of superioritie for the man: and  
of the woman require a duty of reverence. But  
neither is the one so predominant, nor the o-

<sup>e</sup>Cod. li. 6.  
<sup>tr</sup> 4<sup>o</sup>. lego  
<sup>s</sup>. & ple-  
<sup>ritq</sup>; alijs  
<sup>loc</sup>. 13.  
<sup>4</sup> Ibidem  
sublequent  
verbis.  
<sup>e</sup> Gen. 2. 22  
<sup>f</sup> Gen. 2. 23  
<sup>s</sup> Gen. 2. 22  
<sup>a</sup> Gen. 1. 28  
<sup>i</sup> S. Chry-  
lost. hom. 9.  
in Gen.  
Ruper. li. 2  
de Trinitate  
te.

<sup>a</sup> Digest. li.

38. ut. i. le.

gc. 48.

Cod loco

superius ci.

tato. & Inst

2.

Inst. 2.

<sup>a</sup> Ibidem. vt

iure etiani

bald in C. 1

tit. An ma-

riti suc. vx-

or.

<sup>b</sup> Ang. Are-

tin Inst. d.

S C.

Bar. in d. li.

j. parag j.

ff. de iniur.

& ceteri.

<sup>c</sup> Viz.

In tempo-

re menstr.

prænatæ.

Immūditæ

egritudinis

Infantæ.

sacræ ab-

stinentiæ.

Vti habet.

Pau Ca. in

d l. rei jud.

iuncta l. seq

ff.

Anto. 2

Prat. & alij

<sup>d</sup> Gl. in leg

fi quæcūq;

parag. vi. in ff. ad L. Aquil.

Gl. in auth. vt lic. matr; & avix parag.

Quia vero

quædam mulieres in ver. sufficere. Ceteri, vide Tiraquil. 1. lib. Connub. gl. 1.

parte. 1.

ther so lervile, as that from them should proceede any other fruits but of a roial protection, and loial subiection.

My second ground shalbe the <sup>k</sup> power or commande of husbands over their wiues: <sup>a</sup> wherevnto answearth the obedience of wiues towards their husbands. And here I neede not to wearie out my pen, in deciding the cōtroversies touching the authoritie of husbands cōcerning their wiues goods: possessions, lands, dowries and the like. Only pertaining to my purpose is the commande over their persons. Which the law <sup>b</sup> determines to consist, partely in imposing on them convenient labours for the supportance of their estate; chiefly in exacting the rightes of marriage for the procreation of children, and avoidance of lust. To the former as much as in her lieth the wife must yeeld obedience. To the latter (vnlesse on some <sup>c</sup> restrictions which modesty refers vnto my margets) she is legally bound to giue contentment. Neverthelesse in both, harde it is to bee iudged whether the husband should commande with greater obeylance, or the wife obey with greater commande. Both so vnitely strife to expresse the effects of so perfit a union: both so interchangeably labour for the building vp of the *Temple of loue*.

My third ground shalbe, <sup>d</sup> The correction lawfully vsed by husbands against their wiues; where-

vnto answereth the <sup>f</sup> submission required of wiues <sup>ibidem.</sup>  
vnto their husbands. This correction being a pu-  
nishment, must (according to the rule of law) bee  
proportioned unto the fault punished. The faults  
of wiues towards their husbands, are al comprised  
vnder three several degrees; and therefore the pu-  
nishments likewise must be of three several sorts.

In the first and highest degree are faults altogi-  
ther vnexcusable, neuer committed by anie ver-  
tuous or modest wife: neuer endured by anie lo-  
ving or honest husband. Such are the defiling of his  
marriage bed: or against his life & person any tre-  
cherous exploite. For these the law sets downe di-  
rect punishments. For the former <sup>b</sup> divorce from  
the bond of marriage: for the second <sup>h</sup> expulsion  
from the community of wedlocke. And in neither  
case are the husbands ingaged for paymēt of their  
dowry, or any waies bound for reliefe of their po-  
verty. Mistake me not. I only intend that the pro-  
sequition hereof lieth in the husbands power not  
the execution. For that must be consummate in  
lawful manner: the fact proved by lawful witnesse:  
the verdict given by a lawful iudge. So that the iea-  
lousie of husbandes touching their wiues inconti-  
nencie, or suspition otherwise concerning their  
disloyalty, before they come into actual prooffe are  
no actual faults of the wife, but to be adiudged as  
the braine-sicke fancies of their fond husbands. Be  
the suspition of the one vehement, it beareth in-  
deed the better colour, and deserveth the sharper  
trial. But for the ieaalofie of the other it is a com-

mon

<sup>s</sup> Reg glos.  
TVz de  
procurato.  
Cod. lib. 9.  
ad l. lul. de  
adul. &  
supr.  
<sup>h</sup> Syntag-  
ma cōmu-  
nium opin.  
vide. l. 752.  
n. 23.



mon ill humour, and therefore in wisedome nothing at all to bee esteemed. Jealousie is a childe conceived of selfe-vnworthines, and of anothers worth, at whole birth feare made it an abortive in nature, and a monster in loue. For the iealous man vnworthily loving a worthily beloved object, stands in feare of communicating his good, vnto an other more worthy. So that neither is his loue perfit, because mixt with feare which loue abhorreth, nor his feare medicinable, because conioind with loue which feare imppisoneth. But of both ariseth this *mongrel* kinde of jealousie, a loving feare, or a feare full loue. Wherein (contrary to al other actions of man) we bend al our diligence, and carefulnesse to obtaine the full sight and perfit assurance of our owne misery. We would needs forsooth, know our selues to be such Becoes, as we feare to be. For of prevention there is no hope. Our English worthie can tell vs.

• S. Phil.  
Sydn. Arc.  
lib 3.

*\* Sure tis no iealousie can that prevent,  
Wheretotwo persons once be full content.*

Being then that these imaginations of husbandes, are not in law the faults of a wise: and when it chaunceth that such great faults are, they are determined of their lawful punishmēt: whatloever other correctiōs are added in this case, are done besides the law.

In the second degree are faultes of another nature, farre inferiour to the former, and yet of some moment also. Such may be their backwardnesse in the religious service of God. Carelesnesse in managing

haging their household-affaires: Jll behaviour towards their neighbours and friends: misdemeanour in regard of themselves and husbands. These I cōfesse to be as so many rootes of weede planted in the faire garden-plot of a womans minde; spreading into many crooked brāches & bearing much bitter fruit. In <sup>b</sup> these therefore the law alloweth husbands to vse reprehension either sharper or milder, according as the qualitie of the fault requireth and as their owne modest discretion findeth convenience. Yet nevertheless these faults are not so absolutely evill, but that they might admit some kinde of excuse: In so much as they may thereby be somewhat extenuated, though perchāce not peremptorily defended.

<sup>b</sup> Tex. in  
parag ne-  
cesse est 49  
dist & facit  
C. indignā  
tur in fine.  
32. q. 6.  
Glo. in l. si  
quemcunq;  
parag. vi. in  
f. ff. ad l. A-  
quil.  
Tyraquil i.  
l. con. gl. 1.  
par. 1.

For the first, there is no man so irreligious, but commends a religious woman: especially a religious wife, in whom religion is especially needfull, both for instruction of her family and education of her children. But if in such, an imagination of religion fall into some peevish zeale through ignorance, or through some smal measure of knowledge amount vnto a womannish resolution; it had beene better they had been lesse studious in those pointes, where the best fruit of their labours is a plentiful sheife of errors. Wherefore for my part I could never approve those too too holy womē-gospellers, who weare their testament at their apron-strings, and wil weekly catechize their husbands, citing places, clearing difficulties, & preaching holy sermons too, if the spirit of their devo-

tion moue them. For sure I am, antiquity helde silence to be a womā's chiefest eloquēce, & thought it their part to heare more thē to speake, to learne rather then to teach. Aswel then too much curiositie of religion, as too much neglect is a fault in women. So that if their frailty lead thē into either extreame, the husband hath the bit of reprehensio in his power to keepe them in the golden maine.

Againe if a wife be over frugall, it may bee supposed it is for the augmenting of her husbandes estate, and benefit of his children. If shee be very bountiful, it may be thought she intends her husbandes credit, and supportance of his estimation. Likewise if others mislike her carriage, it maie bee her modesty seemeth pride vnto them, or her familiaritie otherwise breedeth contempt. Lastlie if through infirmity she fall into any inconvenience, some things are to be given to the weaknes of her sexe, some matter of excuse there is in the rarenes of such offence. In al or either of these aggrevances, the husband hath alwaies the raines in his own directio. And what more soveraigne medicine, thē a husbands tender reprehension? What is there that can more effectually moue then a word from his mouth? What sooner inforce alleagance then a frowne of his countenance?

In the last and lowest degree are some smal and trivial faults. Indeed vertues in their owne nature, but in their practise perchance are tainted with some favour of vice. Such may be the nimblenesse of womens tongues, which although may some-  
time



times be imploied to their husbands disturbance, yet for the most part are busied in their good. In marchandizing for their profit, in refreshing their wearied spirites, oftentimes in entertaining their friends with curteous complement: commonly in the vsual performance of other such offices, as vsually belong to such a quality. Of this sort likewise are womens affected curiositie of apparel: their over-nice standing on preheminance: their womanish dislikings, and their fond longings, with other such slender errours; obliquities rather of nature, then faults in manners. Al which a husband might easily reforme, either in his wisdom not stooping so low, as to take notice of them, or from out his loue mildly to touch them. Howsoeuer, his allowance in these points is only <sup>a</sup> admonition. Which as it is the fairest kinde of correction, so it taketh the best effect in any good nature. You know that many sorts of soft waters will pierce deeper then the dint of hardest Steele. And many things by mildnes haue bin accomplished, which through violence could never. Policy goeth beyond force in martial actions; wisdom beyond rigour in domestical affaires. And <sup>b</sup> far safer is the obedience yeelded vp on faire termes, then that which is constrained on foule conditions: for the one proceeds from loue, & is even filiall, the other commeth of feare, and is only seruil.

<sup>a</sup> Iuriscens.  
in l. vi. ff. si  
quis aliq.  
test prohib  
S. Bernard  
in ep. ad  
Raymund.  
de re fam.  
Vide Ty-  
raq. l. i. c. 6.  
nub. gl. i.  
par. i.  
<sup>b</sup> Plutarch.  
in prec. ebo-  
nubialibus.

Now that there cannot be thought any misde-  
mainour of a wife towards her husband, not com-  
prised vnder one of these three, is by discourse

plainly manifest. And that there ought not to be vsed by a husband towards his wife any other correction besides these three shal evidently be proved

Concerning the former. Our haters of women haue indeede well imitated the olde Tragedians, whose vse it was, when they would set forth anie odious scene, to plucke the eares of their auditors downe into hell, to invoke the furies, to muster vp cursed spirits, and whatsoever was most oughtly to the eie of their vnderstanding: to the end they might make their expression more vehement, & leaue a deeper impression behinde thē. They likewise are well skill'd in this excellent art of railing. They coniure vp whole catalogues of vices, they number out numberlesse obliquities, and rake together as many sins as the world is guilty of: fastning them on women, as on the authors & actors of them al. Pride<sup>a</sup> (say they) and greater then another pride, the pride of selfe-worth in vnworthinesse: Avarice, anger, luxury, gluttonie, slouthfulness, envy, are the vsual inhabitants of a womans minde. It much offendeth not, that they are vngateful to their friends, impatient in their coller, babblers of their tongue, witty in their deceipts, wilful in their resolutions, ambitions, flattering, lustful, dissembling: but that they will needes also proue, the cut-throats of friendship, & yet seeme to be our friends. A punishment for man, and yet an ineuitable punishment: a tētatiō of man and yet a natural tentation: a calamitie to man, and yet a desired calamitie: an absolute, and yet a necessa-

rie

<sup>a</sup> Myogy.  
nes quidam  
cuius totā  
spurcam &  
impuram  
declamati-  
onem reci-  
tat Tyraq.  
3. l. con. gl.  
3. par. 1.

rie evil. Infinit are their reproaches. And I should forget the nature of an apology, if I spake any farther in their foule language.

First then let mee giue these *Cynickes* to vnderstand, that their trade is not now so good as they could wish it were: for their chiefe ware *detractiō* is helde but for childrens rhetoricke. And *Inuentiones* are counted the poorest share in learning. They are but the froath of an apish invention: the purge of an idle braine; the falling-sicknes of a giddy wit, flat heresies in true schollership. For when you haue spoken al that mallice can speake against woman, what yet haue you spokē that may not be applied vnto mē? Sin (you may remēber) is of the neuter gender, and therefore neither hateth the one sexe, nor cleaveth vnto the other, but is too familiarly acquainted with both masculine and feminine. Was *Lais* a whore? he was but one: many men in Athens were her minions; but I straine not the comparisō.

All women (you saie) are altogether evil: of men you are sure there are some good. And are they evil all? Why, then (ō graue <sup>a</sup> *Plutarch*) how came it to passe thy wildome so failed thee? ancient <sup>b</sup> *Hesiod*, who corrupted thy mature iudgement? <sup>c</sup> *Cælius*, who bequiled thy wit? <sup>d</sup> *Chaucer*, how miscaried thy golden pen? Learned and most holy Saints, <sup>e</sup> *S. Hierom*, <sup>f</sup> *S. Gregory*, <sup>g</sup> *S. Cypriā*, *S. Chrysostome*, who deceived you al? for deceived you al are (if this positiō be received) who haue severally writtē several tracts in honor of honorable womē. Are they al

<sup>a</sup> Plutarch.  
lib. de clar.  
form.

<sup>b</sup> Hesiodus  
lib. de mul-  
lier. heroid

<sup>c</sup> Cælius li.  
lection. an-  
tiquarum.

<sup>d</sup> Chaucer.  
lib. femi-  
narum en-  
comion. 1.  
& alterum,  
de laudib.  
bonarum  
feminar.

<sup>e</sup> S. Greg.  
Syntigm.  
de musis.

<sup>f</sup> S. Cypri-  
an. lib. de  
singulari-  
tate femi-  
narum.

<sup>g</sup> S. Chryso-  
stom. in  
hom. decol  
lat 10. *Sap-  
tista.*



evil? How came the whole world then to be so besotted, as to recorde a famous memorie of manie millions of them? Of Cannonized Saints, of constant Martyrs, of graue matrons, of chaste virgins, of most vertuous and vnspotted wiues? Neither are such as I speake of *Phenices*, rare and but sel-dome found. Search all histories; travell with the sun round about the earth; recall the former daies even from the worlds minority, & compare them with the latter times vnto this present age; you shal finde that the nūber of vertuous women may wel equallize the number of men that haue beene vertuous. And howbeit I cannot say that there is any womā such an absolute paragō of vertue, who is voide of al vice: *Venus* had her mole, the brightest sun suffers an eclipse, the purest golde is not without some drosse, nor the best of women free from al reproofe. Yet thus I say, to obiect all vices whatsoeuer haue been in al women in general, vnto every woman in particular, is most iniurious. Were such a conclusiō of any force, I would thus dispute. *Catiline* was a Traitor; *Verres* a thiefe; *Nero* a murderer; *Ægistus* an adulterer; *Machiuell* atheistical; *Iovianus* heretical; *Battus* a foole, or others, other such. These all were men *Misogynes* is a man; therefore *Misogynes* is a traitor, a thiefe, a murderer, an adulterer, hee is atheistical, hee is heretical, hee is a foole, or what els you please. The forme of argumentatiō is your owne. Which if you dislike, you cleare women of whatsoeuer is here spoken against them: If approue, you haue at  
 this

this while travelled with the *Pellican*, & the birth of your owne childe, wil be your own (if not distrustion) yet discredit.

By this time perchāce your heat is qualified, & you think thē not as before you did *absolute evils*: but refining your phrase terme thē in the last edition *Necessary evils*. This indeed is the cōmon re-  
 nure, and most men thinke they haue iudiciouſlie spoken, whē thus they haue defined the case. That they are necessarie therefore I wil easilie graunt, since hee that made man saw it was not good that man should be without them. That they are evils I vtterly deny, since he that made woman sawe that al he made was good. Js woman good then in the iudgement of God, and in your conceit also necessarie? then once againe you must alter your stile, & hence forth write her a *Necessary good*. For these very termes *Necessary* and *evill* are incompetent, they are at dissention amongst themselves, they cannot stand peaceably together. All things that are necessarie for man are good; food is necessarie, it is good. Apparel necessarie, it is good. The fire, the aire, the earth, the water necessarie, they are good: women necessarie, and therefore good. For els if wee suppose that God hath bound man in so hard a condition, that some things are left necessarie for him; yet evil, we both impaire the wisdom of God, and detract from his goodnesse. But to satisfie some chiefe authours of this received opinion: I answere that some women are lesse good thē other and thence they incurre the name of evil: &

Quod ve-  
 tus apud  
 Græcos  
 proverb.  
 ἀναγκαῖον  
 κακόν.

nature requiring a necessity of them, thence they receiue that title of necessarie: & from both they are branded with the infamie of *Necessarie evils*. An attribute yet not appropriat vnto them, but vsually also applied vnto men. <sup>a</sup> *Alexander Severus* an Emperour of *Rome*, called his counsellours necessarie evils: his provincials necessary evils; the officers in his court necessary evils. <sup>b</sup> *Hybius* in like sort called *Euthidamus* his friend his necessary evil. <sup>c</sup> *Varro* his testie brother his necessarie evil, <sup>d</sup> *Martiall* his angry companion his necessarie evil. With whom (saith he) I can neither liue wel, nor yet liue without him.

<sup>a</sup> Ita de eo  
narrat Ae-  
lius Lampi-  
dius.

<sup>b</sup> Stra. l. 14.

<sup>c</sup> Varro.

<sup>d</sup> Martial.

de seipso

narrant,

But to break of this idle cavillation, which hath too long withhelde me from my purposed course. Let *Mysogynes* steepe his quill in the gall of Invection, let him speak with as open a mouth as ever Satyre did; yet al that can be alleadged, as offences of wiues against their husbands, are only such as either are expressely mentioned, or els directly may be reduced vnto my three former heads.

Secondly then that the corrections lawfully vsed by a husband vnto his wife, ought to be no other then I haue prescribed, remains as yet to be more amply proued. For the first, that *divorcements* in cases prefixed are the sole & only lawfull punishment, the law it selfe affords so faire testimonies, & the practise of all Lawyers hether vnto haue given so full confirmation, that now it is too late either to be denied, or gaine-laid. For the two other *M. Aurelius* a Consull sometimes and Councellour  
shall



shal speake for me. A wife (saith he) is often to be admonished to be reprehended but seldome, never to be dealt withal with violent handes. Where you see not only a flat denial of any rigorous sort of correcting wiues; but withall a plaine assertion of my prescribed punishments, *admonition* and *reprehension*.

*Admonition* it is, that with a tender hande bendeth vp the wound of a friend, and therefore most needful in marriage the nearest of any friendship. Hence the<sup>e</sup> law inioines vs to deale with our wiues in milde termes, in loving talke, in gentle and faire speech. That whereas by nature womē are milde, loving, gentle & faire, they might not choose but best accept that frō others, which is most like vn- to themselues. *Mercurie* (saith <sup>a</sup> *Plutarch*) was seated the next God vnto *Venus*, because in marriage there is alwaies neede of settled reason, and a faire language: *Mars* was then vsing of *Jupiter* in a place remote, because that warres are only fit for kings and states.

<sup>a</sup> Iuriscons.  
in l. ult. ff. si-  
quis aliq.  
test. proh.

<sup>a</sup> Plut. li. de  
præ. con-  
nub.

*Reprehension* we haue added in the second place, that where admonition with its smooth carriage prevailed not, there reprehension with sharper in- treaty might take effect. Hence the<sup>b</sup> law counsel- leth that overmuch lenity is to be mixt with some few graines of severity, and of thē both to be made a third temperature, or golden compound, called *Mediocritie*. By which in al our reprooses we shal be so guided, as neither vsing too much exaspera- tion or indulgence, we may soone reforme what-

<sup>b</sup> Vide Ty-  
raquil. 1. li.  
connub. gl.  
1. par. 1.  
& Greg. M.  
Moral. lib.  
20. par. 20.  
par. 4. c. 11.

• Liv. vide l.  
 3. hist. ab  
 vrb. cond.  
 Ovid. Met.  
 lib. 2.

• Blanditijs  
 precibusq;  
 minas rega  
 licet addit.

soever offence. God commanded that in the Arke  
 of the *Tabernacle*, directly over his two *Statute ta-*  
*bles* should be *Māna* preserved, but together with  
*Moses* rodde. <sup>d</sup> Papirius set vp before the Senate  
 house in *Rome* the image of *Mercie*, but placed  
*Iustice* therewithal. *Iupiter*

<sup>c</sup> To his intreatie, and his faire perswasion,  
 Adioined threatnings in his princely fashion,

What God himselfe prescribed in matters legall,  
*Papirius* in civil, *Iupiter* in Imperial: the like maie  
 we likewise follow in mannaging of domestical and  
 vxorial affaires. If the Manna allured not, the rod  
 should cōstraine; if commiseration prevailed not;  
 iustice shoulde succeede, if praier were reiected,  
 threatnings should terrifie; and if an husbands ad-  
 monitions be not esteemed, his reprehension the  
 should not be spared.

In both which kinds of correction our successe  
 shalbe the farre more effectual, if we lead the waie  
 before by our example, which by our wordes wee  
 perswade our wines to follow. For the abbreviarie  
 of an husbands words and actions, is as it were the  
 chamber-glasse whereby a wife shoulde addresse  
 her selfe. At his tongue she should learne to speak,  
 by his carriage she should compose her behavior.  
 And a thousand times safer way it is (as in a case  
 not much different <sup>b</sup> *Pacatus* told *Theodosius*.) to  
 governe by example, the by severity. Every good  
 example is a most pleasing iuitation vnto vertue,  
 where the eie is guided vnto present action, not  
 the eare fed with fained speculation. And herevpon

• Vide Ty-  
 raq loco  
 sup. citato

was

was <sup>¶</sup> *Petrarch* his opinion grounded, that a mi- <sup>¶</sup> *Petrarch.*  
nical husband wil make a lascivious wife, a riotous <sup>lib. de rem.</sup>  
husband a voluptuous wife, a prowde husband a <sup>adver. fort.</sup>  
prowde wife, a modest and honest husband a mo-  
dest and honest wife. Wherefore it is <sup>¶</sup> *S. Austens* <sup>¶</sup> *S. Aug. in*  
counsel, that such as we would haue our wiues <sup>C. si dicunt</sup>  
appeare vnto vs, the same wee shoulde first ap- <sup>23. q. 6.</sup>  
proue our selues vnto them. Would wee haue the  
chast of their bodie, civil in their carriage, pure &  
vnspotted of the world? we the must walke before  
them as the patternes of chastitie, of civillitie, of  
irreprehensio. For what reason haue we to expect  
more of them, then we can performe of our selues?  
It is a silly master that offendeth in those faults, for  
which he is offended with his pupil. So is it an im- <sup>¶</sup> *Senec. ad*  
pudent and impious fellow (saith <sup>¶</sup> *Seneca*) who of <sup>Lucil. epist.</sup>  
his wife requireth an vndefiled bed, yet he himsel- <sup>94.</sup>  
defiles it. By our vertuous demainour then wee  
must direct the in the way of vertue; for there are  
none of them vicious who wil sticke to tel vs that  
we are their masters. It is reported by <sup>¶</sup> esteemed <sup>¶</sup> *Guil. de*  
authors, that in some places the husbands are pu- <sup>Monte</sup>  
nished only for the faults of their wiues. In *Cata-* <sup>laud in Cl.</sup>  
*lonia*, whosoever is crickoled paieth a summe of <sup>cum ex co.</sup>  
mony: in *Parrice* he rideth in disgrace through the <sup>Cardinal.</sup>  
citty, the crier proclaiming these wordes before <sup>Flor m i.</sup>  
him, *so do, so haue*. In some parts of England I haue <sup>op. o. de</sup>  
seene a custome not much different. All which <sup>scilicet. ex. o. m.</sup>  
though they now are wel neare worne out of date,  
yet their primary intent was vertuous, being to  
restraine husbandes to the loving and living with



their owne wiues, so that neither should need any other company, but by their mutual example one should bee a president vnto the other of true chastitie.

Thus then (to draw my selfe vnto an end) & only thus may an husband lawfully correct his wife. *Admonitiō* is his first degree for smallest faults; this must proceed from a patient lone, or a loving patience. The next is *reprehension* in greater offences; this must aime at the amendment of the fault, not offending of the faulty. Both of these must bee seconded by our good example, that the worlde may see vs do those things which wee would haue done by others. Lastly in the last & highest degree is *Divorce* in such cases as before are alleadged. Now for farther satisfactiō, to proue that the laws allowe not any verberall correction I haue added these few reasons.

First. If a husband may lawfully beate his wife, then is the wife legally bounde to indure his beating. For the lawe giues not authoritie to the punisher, but therewithal inioines obedience on the punished. But the lawe bindes not a wife to such blockish patience. For in such a case it<sup>e</sup> allows her to depart from her husband; <sup>d</sup> and of her husbande in time of her absence to obtaine sufficient mainenance. <sup>e</sup> Neither doeth it limite her anie time to returne if shee feare his tyrannie: nor yett <sup>f</sup> constraines her to liue againe with him, vnlesse for her good vsage bee giuen her good securitie.

\*Vide Aegilium in curia Par. Præf. v. 2 q 195. n. 7.  
<sup>d</sup> Vincen. de Franc. decis. 144. n. 4.  
<sup>e</sup> Petr. de Ferrar. in aur. pr. p. 224. n. 4.

<sup>f</sup> Durandus in spec. juris. lib. 1. de off. iud. parag. 2. n. 8.

In answer whereof that shift will not serue, to saie the Law authorizeth a man to beate his wife but slightlie, and not in such sorte as may cause her departure. This is too course a salve for such a soare. For a little beating vnto some women, is more then much vnto others; and therefore in them it wil breede the same or worse effectes: & how little so euer it bee they are not bound to take it.

Secondlie the lawe decrees that he lesse grievouslie offendeth who killeth his mother, then he who killeth his wife, though both be most hainous and execrable sinnes. Hence by rule of disputati. on I conclude, therefore also hee lesse grievouslie offendeth that beates his mother, then hee who beates his wife. But what a horride and barbarous fact it is for a man to beate his mother iudge you, & then also iudge what the other is which is worse then that.

*S Bonavent lib. 4. dist. 38. art. 2. quest 2.*

And whatsoever is saide amongst Lawyers of the first proposition, some plainelie affirming it, others mincing it with distinction, availeth nothing. For if (as manie doe) you holde the offence onlie greater in respect of the greater punishment allotted it by the law, but lesse in it selfe, and of his owne nature: I would demaunde you whether the lawe doe not proportionate everie punishment to the qualitie of everie offence? To smal offences light punishments; to the greater, punishments of greater torture; to those that are most hainous most exquisite torments? Which if you

grant you must necessarily acknowledge the truth of the first proposition: if you deny you accuse the law of iniustice. Or otherwise if your reply be (as most mens is) that herein the law was especiallie heedful: and becaule me are more prone to iniure their wiues then their parents (as lamentable accidents most vsually do testifie) therefore for greater terrour to such offenders, & more evident example to other spectators, the law more severely punished the one then the other. If thus you pleade I then ioine hands with you: & in the present case giue the same sentence. Because men are more prone to beat their wiues then their parents, therefore in law the act should bee held more hainous, because by lawe the punishment must bee more greivous.

Thirdly the name of a wife is a name of dignity: The law stiles her thy familiar friend: thine equal associate: the Mistresse of thy houle: to speake at once, the same person and *Individuum* (as it were) together with thee. If therefore she beare the name of dignity, shee is to be respected: If thy familiar friend shee is to be imbraced: if thy equal associat, shee is equally to be regarded: If thy Mistresse, she is to be honoured: if thy verie selfe, shee is dearelie to be beloued. All which duties of an hulband are necessarily intended by the law; and are as contrarie to the rough and vnkinde vsage of a wife, as fire vnto water, heaven vnto earth.

And for the mittigation which is here by some men interposed in way of answere vnto this obiection



tion: (which is, that in the stricknesse of law, for a husband to beate his wife is lawful, but it is vnconvenient in the decencie of manners:) It is a plaine and peevish contradiction, & iniuriously robbeth the law of the end of the law. For the end of the law is the happy government of a cōmon-wealth which happinesse is in nothing more eminentlie seene then in the decent conformitie of manners, and orderly behaviour in al estates. And hence it is that the Lawyer as a laborious travellour goeth through al estates, to bring al vnto decencie. Hee ordereth the estate of Monarches and princes: of peires and nobles: of Magistrates and subiectes: of parents and children, of husbands & wiues: of Masters and servants. \* And in the whole body of a common-weale whatsoever is out of decent temper must by the law be ordered, as a sicke part in a body natural by physicke cured. So that then an absolute *indecorum* in manners (as they confesse the beating of a wife to be) is an absolute breach of the law.

\* Plat lib. i.  
de iusto. fi-  
nem legis  
dicit cōve-  
nientem  
servare or-  
dinem, o-  
dile male.

Lastly correctiō by way of beating (say the best you can say of it) is meerely servile: and in manie mens iudgements so inhumane, as that a wise man whose actions flow frō discreet premeditatiō, will not exercise it vpon his slaues or swaines. But servilitie is only to be imposed on such as are servile; and therefore not on wiues who are in the law free burghesses of the same citie whereof their husbands are free, and free denisons in the same land wherein their husbandes are free: both participating the  
same

same rightes, both inioying the same liberties?

But here againe ariseth a cavil touching the precepts of the law, and permissions of the law. They answere, that though indeed the law commādeth not a man yet it permitteth him to beate his wife. Their reason is because it setteth downe no precise penalty in such a case: & whatsoever the law doth tollerate is not vnlawful, and therefore this action also is lawful, though not by precept of the lawe yet by permission of the law. Wherevnto my reply is, first, to saie that the law setteth downe no precise punishment in this case is a proposition not simply true, for the reasons before in my first reason alleaged. Againe that whatsoever the law doth tollerate is lawful, I hold it to bee a position absolutely false. The law herein shalbe iudge of the law; which saith that those things are not without vice (therefore vnlawfull) which are permitted or pardoned by the law and not commanded. The law omitteth some things in some good respects: And those things which we omit (saith *S. Chrysostome*,) we vnwillingly permit, & what wee vnwillingly permit, we by no meanes would haue committed, but this only we do because we cannot as we would restraine the vnbridled affections of the many. Many things therefore are permitted by the law vpon necessitie: many things pardoned by the law vpon indulgēcy, which yet are directly against good manners, and simply sins in themselves. I wil instāce the cause. A widdow that remarrieth within her yeere of mourning, is by the law free frō in-

famic,

famie, but by the lawe also adiudged vnworthie of matrimonial dignity. A virgin that espouseth her selfe without her parentes consent, is by the lawe lawfully; yet by the law also vnhonestly espoused. A hulband taking his wife in adultery might lawefully kill her, yet not without the guilte of hainous offence. Lastly the Jewes might lawfully craue a bill of divorce, and put away their wiues vpon any mislike: But Christ tels them it was granted by *Moses* for the hardnes of their hart; being yet a thing most vnlawful, and therefore not so from the beginning. In which, and al other cases of like nature, though an evil custome or a peculiar permission may saue a man from the punishment of the law, yet it can never cleare him from the vnlawful act.

And here I purposely omit many eminent and pregnant proofes which hereafter vpon occasion may be added. For what neede I to light so manie torches to the noone day; or propose such multiplicity of reasons to proue a truth so manifest? Let it suffice that hitherto I haue made plea in mine aduersaries faculty, & through the firmnes of the cause confirmed mine assertion. It is now time to remoue the tents, and gather my selfe within the confines of mine own professiō. Not fearing to be tried herein by any trial; especially this the highest of al trials; where God is the iudge: his worde the law: his Saints & Angels the witnesses, & eternall verity which never doth deceiue, nor can ever be deceived attends vpon the sentence.



## CHAPT. 5.

*The same evinced by the law of God.*

**N**OW here towards the evening of the day & end of my iorney I must craue leaue to rest my selfe a while and enterraine my reader with historicall discourse: to sit me downe in the bloomy shade of *Paradise*, & contēplate the monuments both of womans first creation, & first institution of her marriage. For in the infancie of all things, when God had framed the worlds cōpasse, and bespangled it with glittering starres: when he had fastened the center of the earth, and girted it about with chrystal flowds, when hee had finished his glorious worke, and<sup>e</sup> deputed mā his last creature, to be the cōmander of his new-made world. At length he took a general surview of his labors, and founde them al the fit remainders of so perfit a workeman. Only man was excepted: who was yet but a-lone creature,<sup>d</sup> without any cōpaniō to whō he might cōmunicate his ioies, or impart his sorrow; or<sup>e</sup> of whom he could either hope for cōfort in his life, or expect continuance of his posterity.<sup>f</sup> So that Man seemed not more happy in his ample dominion, then vnfortunate in his solitarie estate. For what could the<sup>g</sup> subiection of al things profit him? Wherein could the pleasures of paradise delight him? What ioy could hee take in his angelical perfection, when hee had none to converse withal, but with beasts and trees, & stones,

\*Gen. 1. 28.

\*Ruper. in  
1. J. de Trin  
& eius ope-  
ribus.\*S. Tertul.  
lib. 2. adver.  
Marcion.\*Vide se-  
quenti pa-  
gina.\*Iosephus  
Antiq. lib. 1  
cap. 2.

or such, who could nether vnderstand his reports,  
or returne him contented answeres? Wherefore  
he who before saw al his works were good, sawe  
now that it was not good for man to be alone: but  
said <sup>b</sup> *Let vs make him a helper like vnto himselfe.*

<sup>b</sup> S. Basilus  
hom. 11. in  
Genesin.  
<sup>i</sup> Gen. 2. 18.  
<sup>k</sup> Gen. 1.

Where the all-eternal creator, who created all o-  
ther things in a trice of time, for <sup>i</sup> he but spake the  
word and they were made, doth <sup>k</sup> take a delibera-  
tion as it were, and calleth to counsell the heaven-  
ly trinity: to <sup>l</sup> shew that he had in hand a more di-  
vine worke, and was to frame a creature of higher  
dignitie. <sup>m</sup> He taketh reason to his assistance and  
wisdom, to manifest that now he was in travel of  
a reasonable essence, and such an one who was ca-  
pable of wisdom. And look in what glorious sort  
as he before proceeded in the creatiō of man, the  
same likewise he now followeth in the creation of  
woman; whom he made as an equal associat and  
fellow helper for man. For so indeed <sup>n</sup> God plea-  
sed to call her name who best knew her nature.

<sup>l</sup> S. Greg.  
mor li. 9. c.  
27.  
<sup>m</sup> S. Basil.  
hom. 9. in  
Gen.

<sup>n</sup> Orig. hom.  
1. in Gen.

Poore and forlorned Adam, let the world now  
iudge whether thou the needest not a helper, whē  
being the sole heire vnto the worlds diadem, thou  
haddest not so much as a friend to speake vnto, or  
a seruant to commande.

*P No bended knee did do thee homage then,  
Nor creeping courtier fawne vpon thy state:  
Beasts were thy savage garde instead of men,  
Whose senses sense could neither loue nor hate.*

<sup>o</sup> Gen. 2. 18  
<sup>p</sup> Translat.  
ex Prud.  
Nullus ado-  
rabat flexo  
tum pop-  
lite regem,  
&c.

Yet againe most blessed and fortunate Adam: God  
out of thee created a helper for thee, more dutiful

then any servant, more deare the any friend. That  
<sup>1</sup> whatsoever was yet deficient to the perfectiō of  
 thy felicitie, might in this last addition be fully ac-  
 complished. That insteede of solitarinesse thou  
 mightest inioy a ioyful companion, and in lewe of  
 barrenesse thou mightest eternally be honoured  
 for the worlds grandfire. This was thy last, but thy  
 greatest of any mortal indowment. <sup>2</sup> Neither was  
 it without cause that shee was last of al made. For  
 as a princeesse preparing to come vnto her imperi-  
 al citie, hath her herbingers sent before, her house  
 adorned & beautified, her courte replenished, her  
 attendants ready, and al things for her entertainem-  
 ent prepared: So it was convenient that before  
 the Queene of the world was created, the world  
 should first be perfited, <sup>3</sup> Paradice the Metropoli-  
 tan citie of her residence finished, and al things els  
 ready furnished to her hands.

<sup>1</sup> Hugo de  
 S.V. in Gen

•

<sup>2</sup> S. Chryso.  
 hom. 8. in  
 Gen.  
 Damasc.  
 cen. in  
 2. l. de Gen.  
 32.

Joseph. li.  
 1. antiq. c. 2  
 Tertullia-  
 nus lib. 2. ad  
 versus Mar-  
 cionem.

<sup>3</sup> Gen. 2. 7.  
<sup>4</sup> Gen. 2. 22.  
<sup>5</sup> P. Lomba.  
 2. dis. 18.

<sup>6</sup> S. Aug. 12  
 de Civitat.  
 Dei, ca. 21.  
 § 26.

Thus God vouchsafed to honour the first birth  
 of his fairest creature, nothing at all lesse then that  
 of man: and in some things also farre beyond him.  
<sup>2</sup> *Adam* was moulded out of the dusty clay of the  
 earth: <sup>3</sup> she was framed out of the purified body of  
 man. <sup>4</sup> Neither was shee made of the lowest part,  
 that so shee might seeme his inferiour: nor out of  
 the highest, that therein she might challenge su-  
 perioritie: but out of the middle of his bodie, of a  
 ribbe of his side, that thereby shee might appeare  
 his equal, and be taken as his fellow-helper. Of a  
<sup>5</sup> ribbe also from his left side, where the heart as  
 in his privie chamber resteth it selfe, & which the  
 arme.



arme as his beloved darling naturally imbraceth;  
to teach obdurate mā, that woman is the Goddes  
to whom he ought to sacrifice the loue of his hart:  
That shee the Saint on whō he should bestow the  
chast imbracemēts of his armes. Or thus much els  
to intimate,<sup>c</sup> that as it is woman only whose loue  
should inherit the hart of mā: so it is especially wo  
mā whose defence should merit the arme of man.

<sup>c</sup> S. Basil.  
hom. 12. in  
Gen.

Woman therefore by the divine power of crea-  
tion was made of man: and <sup>d</sup> man by a strange  
kinde of *Metamorphosis* converted into woman.  
For when that dead sleepe had seized on *Adam*,  
and God had taken fourth his ribbe,<sup>e</sup> he closed vp  
the breach with tender flesh insteede of the harde  
bone: To the end that as his heart had now a more  
soft pillowe to recline it selfe vpon, so his minde  
should become more mollified: and insteede of its  
natural fiercenesse begin to assume a natural mild-  
nesse. Which speedily tooke effect. For as soone as  
he was awaked, hee acknowledged himselfe devi-  
ded, & turning vnto this new creature perceived  
himselfe imparted vnto her. Wherefore his first  
words and morning-long, were words of amity, &  
a long of loue. <sup>h</sup> *This now is bone of my bone, &*  
*flesh of my flesh.*

<sup>f</sup> Gil. ant.  
Interp. in  
Gen. 1

<sup>g</sup> Idem ibid.  
& Brunus  
in 1. Gen.

<sup>h</sup> Gen. 2. 23.

<sup>i</sup> For God so linely grav'd vpon this bone  
All Adams beauties; that but hardly one  
Could haue the lover from his loue discride,  
Or known the bridegrome from his gentle bride;  
Saying that shee had a more smiling eie,  
A smother chinne, a cheeke of deeper die:

<sup>i</sup> Transl. ex  
Bart. per. 1.  
Silvest in  
opere diei  
6.

*A fainter voice: a more enticing face:  
 A deeper tresse: a more delighting grace:  
 And in her bosom more then Lilly white,  
 Two swelling mounts of Ivorie panting light.  
 Source of al ioies: sweet hee-coupled one  
 Thy sacred birth I never thinke upon  
 But (ravisht) I admire how God did then  
 Make two of one, and one of two againe.*

<sup>a</sup> Gen. 2. 21  
<sup>b</sup> S. Damascenus in l. 2  
 ad Gen.

<sup>c</sup> Pererius in hunc locum, & Brunnus ibid.

<sup>d</sup> Gen. 2. 24

For no looner were these of one divided into two, and made distinct and perlonal: but streight waie againe they were of two contracted into one, and made the same and Individuall. Their creatiō was presently accompanied with institution of their marriage; wherein *Adā* receiued his owne againe with rich advantage. Hee lost (<sup>a</sup> as far as we read) but a bare bone: <sup>b</sup> He received it againe branched into many bones, bewrapped vp in tender flesh, twisted on curious ioints, ful of liuely spirits, flowing with youthful bloud, characteriz'd with azure veines, in proportiō absolute, beautiful in colour, louely to be seene, louely to be talk'd withal, like in al things. <sup>c</sup> Hee lost it without any sence of paine; he receiv'd it againe with an extasie of ioy. In regard of which his happy fortunes, he established for himselfe & al succeeding ages an eternall law. <sup>d</sup> *Therefore shall man leaue his father and mother, and cleaue vnto his wife, and they two shall bee one flesh.* This was his Hymineal song, this was the first statute of *Adam* made here in Paradile when hee was yet in the state of innocency: whē he was fresh and pure from his creation; and (as the Angels the  
 selues)

selues) in Christal perfection. \* Then was not his <sup>\* Damascen.</sup>  
 reason over cast with any cloud of sensuality: his <sup>in lib 2. ad</sup>  
 iudgment not tainted of error: his conscience not <sup>Gen.</sup>  
 stained with sin: the eie of his vnderstanding clear:  
 the propension of his wil free: and therefore then  
 was his law most exquisite, and his words the true  
 oracles of fidelity. In this so absolute and Angeli-  
 cal an estate, which now the nature of man can no  
 waies reach vnto, see how the protoplast and first  
 venturer on marriage ratifieth the amiable bond,  
 and indissoluble knot, the firme coniunction, and  
 perfit vnion of Man and wife. *Man shall leaue his*  
*father and mother and cleaue vnto his wife.* <sup>f Pa. Exod. 13.</sup>  
 rents (there is no man doubts) are to be regarded  
 with al filial and reverential duty: They should be  
 the second Gods in our honour, as they are the se-  
 conde causes of our being. Yet as though there  
 were a *nescio quid* in marriage, some higher myste-  
 rie, and a relation more essential, wee are authori-  
 zed to relinquish them, (and therefore much more  
 al other friends and acquaintance, or whatloever  
 loue, the loue of God only excepted) to liue vnto  
 our companion who is our second selfe. An abso-  
 lute law you see for *Adam* and man his posteritie;  
 without condition with *Eue* and woman her suc-  
 cession. It may be, his propheticall soule sawe that  
 the future obduritie of man would proue to bee so  
 stony, as it might stand in need of lawes to mollifie  
 it: But womans nature to be so gentle, that her lo-  
 ving affection would easilie prevent any lawe of  
 loue.

And



• S. Chryso.  
 1. 1. hom 38  
 in Genes.

And in this the nearest of all neare affinities if *Concorde* be our protector, though we liue not in the glory of the world; though we bee as poore as imagination can conceiue; though fortune doe in al things the worst she can do: Notwithstanding yet we haue an *Afylū* at home or refuge, whervnto when we retire our selues, wee are sure to finde loue waiting at the gate to welcome vs, and true contentment within to entertaine vs. The coulelhouse may proue distastful vnto vs: The citie may chāce deride vs: the court peradventure not smile vpon vs: the fields through solitarines may breede our melancholy: the streetes through popularity may displease vs: al things abroad may not relish so wel with vs. Yet our comfort may be, at home wee haue soveraigne phyicke for every diseale of the minde, a present medicine for every maladie, which is *loue*, and *contentment*.

But where *Discorde* raignes, though thy possessions were limited with the bounds of the worlde; though thy attēdantes as numberles as *Xerxes* armie; & thy house as glorious as *Salomons* temple, yet al this is but beggarly riches, or a rich beggarie, whereas thy minde which is the seat of true peace and content, is inhabited by the outragious spirit of strife & contention. Suppose *fortune* were thy Minion, and gaue thee the whole world at cōmande: let the rich *Indies* guilde thee with gold, & the sweet *Arabia* perfume thee with odours: let the sea, and aire, and land, bring delicacies vnto thy table; & let Ivory beds inshrine thee from the dismal

mall night. Yet when thou returnest home vnto  
thine owne bosome, there shalt thou finde a hel  
of torments, and that bitter roote of the *Colliquim-  
tida* of strife which impoisons al the rest.

Farre from the example of this first institution  
was any such enormity. It was here decreed <sup>d</sup> *They* <sup>Gen. 2. 24</sup>  
*two shalbe one flesh.* Here was an vnion proclaim'd,  
their bodies are one flesh, their soules one spirit:  
themselues no more distinctly two, but perfectly  
one. And if we may be so bold to draw the com-  
parison with al reverēce to mortal mā frō the im-  
mortal God: As their Creator is devided in the tri-  
nitie of persōs, yet stil remaineth one only God in  
essence: so these his creatures were distinguished  
in the duallity of persōs, yet stil should they abide  
as only *Individuū* in nature. On this bargaine our  
first parents agreed, and this bargaine they truelie  
performed. For as then the soule of mā as the gar-  
den of paradise was enameled only with the flow-  
ers of *vertue*: no thissels were then growing, no  
thornes were planted: *Passion* the mother was not  
yet borne, nor *vice* her daughter hitherto begot-  
ten. This was the age whereof we haue read

*The first, & best of times were pure: a goldē age:  
Next to the Gods: & fardest frō tēpestuous rage  
Of vice. No other Empres of the world was known  
As yet, but sacred vertue: shee then rul'd alone.*

*Then was eternall spring: the earth with richest flowers  
VVas alwaies richly clad: which (when the christall showers  
Perform'd their morning sacrifices) gaue such breath,  
As though the Gods had dailey new perfum'd the earth.*

\* Descrip-  
tio aurei se-  
culi tran-  
slata ex O-  
vid. & alijs  
per autho-  
rem.

The sister aire a virgin for the piercing gunne:  
 The mother earth not yet was wounded by her sonne  
 The iron instrument: The rugged Oceans backe  
 Not saddled with the Pine to beare the Marchant packe.  
 Yet then the earth, the sea, the aire, vntouch'd did yeeld  
 More fruit: then labour'd now doth aire, or sea, or field.  
 Rivers of milke & wine from out each fountaine ran;  
 The herbes and trees drop'd hony for the foode of man.  
 Bellona had not yet in sanguine field displaide  
 Her sable armes: nor Vulcan on his anvil plaide  
 Musicke vnto the Gods, whiles forged was the sword  
 Which now with sharpe revenge seconds each hasty word.  
 No bended trumpet yet had taught the furious steede  
 To keepe his circle, and the crackling speare to guide  
 Against his aduerse crest. No warres wer then, no strife  
 But in this golden age, they liv'd a golden life.

Arist. li. i.  
 de anima.  
 cap. 6.

And paralel also vnto the purity of this goldē age  
 was the perfection of mans & womans soule. For  
 whē their bodies were first framed as a picture of  
 wrought waxe, or an image of hewen stone, God  
 breathed therevnto a liuely soule, which he stiled  
 the breath of life. And that<sup>b</sup> spirit being of an æ-  
 real substance & (as it were) angelical essence, dif-  
 fused it selfe into each part, giving motion, sense  
 and reason vnto the whole. Now in this naturall  
 marriage of soule and body, the soule actuated the  
 body, the body supported the soule. The soule  
 brought with her a rich dowry for the body, quick  
 apprehension, deepe vnderstanding, and a treasu-  
 ry fraught with memory. The body, a faire posses-  
 sion for the soule: he received her within the strōg  
 wale



wals of his house, seated her in the warlike castel of his heart; fortified her with the thicke bulworke of his breast; attended her with waiting faculties as a family of so many servāts; made his eies her watchmen; his tongue her orator; his hands her champions; his feet her lackies; his cōmon parts her common vassals: some for admitting of nourishment, the mouth to receiue it, the teeth to grinde it, the pallate to rellish it, the fornace of the stomacke to concoct it, the fan of the liver to purifie it, the ferry of the vaines to warfe it through the whole cōtinēt of this litle world. Some againe for avoidāce of excrement, the eies as cōducts of the head, the nostrils as the sluices of the braine, the eares as channels of other ordure, & the hidden members as fit organs for such hidden offices.

Now whōsoever it pleaseth with the eie of iudgment to take review of my travels hitherto in this part; Oī womans first creation, equal vnto mās, having the same maker, the same manner of making: better then mans, because formed of a better substance, in a place more excellēt, & at a more sacred time. Of the original of marriage; equal to both, in as much as both were one flesh, one nature: more expressly binding the man, because the law was expressly confirmed by the man vnto the womā, not expressly reconfirmed by the womā vnto the mā. Lastly of the purity of this age, frō whēce all these testimonies are drawn: He wil easily cōclude what I have labored to cōfirme; That man & wife here lived a peaceable life, they inioied a loving vnion,

they lived in pure amity. If ever there were made an absolute law, if ever statute of such perfection, as neither error could corrupte it, nor vice depraue it, this (we are sure) was it, where God at the first creation was the law-giver, and man in his first perfection the law-receiver. Whereas therefore our imitation is to bee drawne from the best patternes, here may we rest our selues at the mouth of God, and drawe from out the verie fountaine of truth, the true precepts of this mutual duetie, both of husbandes towards their wiues, and wiues againe towards their husbandes. Beeing indeede all Iuniunctions of mutual loue, and perfect amitie: No wordes of rigorous predomination, no thought of vnkinde preheminance. It was only (saith <sup>a</sup> *Saint Augustine*) a mysterie of vnion, a sacrament of loue, a bonde of fidelitie, a paradise of content, it was the truce of peace for terme of this present life, and the way vnto perfection in that better life to come.

<sup>a</sup>August. li.  
de cont. l. 4.

But man (you will saie) by occasion of the woman fell from this integritie, and therefore woman was not afterwarde to expecte from man such duties of amitie. True it is, the *Serpent* by long perswasions induced her to a delightful sinne of eating the forbidden apple, yet shee shewed a maine resistance; To the Serpents cunning demaunde, <sup>a</sup> *Why hath God forbidden you to eate of the fruite of the garden?* Shee made a short and sharpe answer, implying a plaine falsification in his

<sup>a</sup>Gen. 3. 1.

his close assertion. <sup>b</sup> *VVe* *eat* *of* *the* *fruite* *of* *the* *garden*, *but* *of* *the* *fruit* *of* *the* *tree* *in* *the* *middest* *of* *Paradise* *God* *commaunded* *vs* *not* *to* *eat*, *least* *we* *shoulde* *die* *the* *death*. From hence shee draue him to his naturall trade of open lying. *You shall not die the death*. Adding therewithal a vaine hope of shamefull knowledge. Thus in a faire combate, for a faire time shee stooode out at staues end with him; till through his stratagems at length he got the glory of the day.

But *Adam* as soone as the apple was proffered vnto him, did never cast anie doubt, never made question, never demurred on the matter, but streight way tasted the sweetnesse thereof, whose bitter rellish remaines in vs vntil this day. I see no reason then, but in this caule Man was more in fault to bee so suddenlie deceived, then woman who was more hardly drawne therevnto. Especially when that general prohibition of eating this forbidden fruite, was not given vnto woman,

<sup>c</sup> *Thou* (saith *G O D* vnto man) *shalt not eat* *of* *the tree of knowledge of good and euill*. And how.

soeuer <sup>d</sup> *S. Gregorie* hath it, *you shall not eat*, as though it were spoken to both man & woman, yet the original reades it in the singular number: And

<sup>e</sup> *S. Austen* taketh awaie the doubtr, and telleth vs that by tradition the woman receiued this commandement from the man, not by deliverie from God. This I willingly do grant, & thence also conclude, that by reason thereof, the woman might chaunce more easilie to breake this lawe, then

<sup>Gen. 3. 2. 3</sup>

<sup>ibid. v. 4.</sup>

<sup>Gen. 2. 17</sup>

<sup>Greg. l. 39  
Moral. c. 16</sup>

<sup>Aug. li. 8.  
Gen. ad li-  
teram c. 17.</sup>



• Cōmunis  
hæc sentē-  
tia Inter-  
pretum &  
Scholasti-  
corum.

the man; since the al-glorious Maieſty of God that commanded ſhould take deeper effect in man, thē the equality of perſō that related could in the woman, the roaring of a Lyon is more trembled at, then the ſcratching of an Owle; the commands of a King more powerful thē the words of a ſilly ſub-iect. And whereas al the fault of our firſt fall is cō-monly laid vnto womans charge, *Evah* was but in parte the occasion thereof; *Adam* was the ſole cauſe thereof. \* For had hee obſerved the com-mande of God, though ſheeten thouſand times had broken it, wee had not taſted of death. Vvee had never for her fault beene puniſhed, for his on-ly we were. The reaſon is becauſe he was our firſt roote, *Evah* and we his after branches, the ene be-ing once corrupted, through him only the other withered.

• Hoc enim  
acutiſſimè  
obſervavit  
generoſiſſi-  
ma & doct.  
fœmina I.  
Odo vena-  
in oratio-  
ne ſua apo-  
logetica  
pro fœmi-  
nis.

\* S. Chryſ.  
hom. 57. in  
99. Gen.

Howſoever yet the caſe ſtood betweene *Adā* & *Eue*, I verily perſwade my ſelfe, that the ſame ſerpent, who was the perſwader of their firſt fall, was likewise the firſt ſower of diſſention betweene man & wife. Doubtleſſe it never proceeded from God, who bound them in ſo ſtrong a bond of loue. It never proceeded from man, who ſo ſtrongly eſtabliſhed his loue. If neither from God nor from man, from whom then I pray you, but frō the De-vil, that grand hater of loue, and lover of hatred? Neither is this poſition a childe of mine own fan-cie,<sup>b</sup> or the conceite only of ſome other far better learned.<sup>c</sup> *S. Chryſoſtome* is the author, Satan (ſaith he) cūningly inſinuated himſelfe into the cōpanie

of

of mā & wife, & craftily disioined their harts whō  
God before had ioined, whereby strife and contē-  
tion do now oftentimes reigne with them instead  
of loue & contentment. May it please you there-  
fore that are rigorous husbands vnto your wiues,  
or such as are maintainers of this conceited opini-  
on, to take some notice of the author therof. A  
worthy patron (beleeeue it) for so vnworthy a pra-  
ctise, a famous founder of so impious a sect. Hea-  
ven abhorres it, the earth was not so base to in-  
uent it: hel must bee sought, and the Devil founde  
out for the first broaker thereof. I thinke there is  
no man so shamelesse but woulde bee ashamed to  
take his practise from a notorious wicked man.  
How can you thē be contented to be apprentices  
in the Devils trade? Were there no other reason  
in the worlde to dissuade men from this impietie,  
but only this, that it hath the Devill for its author,  
what reasonable man is there but would abhorre  
it? But now many manifest authorities out of the  
worde of God, and practise of al the godlyest men  
since the worlde beganne: Manie firme testimo-  
nies of the ancient fathers, & latter Divines, I am  
faine for this present to omit, because time and  
haste of other occasions deny me the Presse. So  
that to them it cannot now giue light, although I  
had given them as perfecte life as to anye of the  
rest.

## CHAPT. 6.

**M**Y conclusion therefore shall only bee an earnest request vnto such as are married, that as they are bound by the word of God, and as they haue impledged their faith vnto the church of God, they seeke to honour this honorable estate. Husbands, that they loue their wiues, as Christ loveth his church: his loue vnto his church is the dearest of al deare loues, such shoulde yours be vnto your wiues. Resolue your consciences of what due authority you haue over your wiues. Try the vtmost of your lawfull bounds; never step over into the thorny field of tyrāny, to which the world hath proclaimed a shame, & God hath denouced a curse. Wiues loue your husbands as the church againe loveth Christ. Its loue vnto Christ, is its greatest glory: so shoulde yours vnto your husbands. Be you subiect vnto them in things lawfully commanded; shew obedience vnto the where it is due: Both husbands & wiues liue together one in the v- nity of soules and consents as you are pronounced one in the vnity of body and flesh. My last wish is, that this my short treatise may proue such as the temple of the goddest *Viri-placa* in Rome, vnto whom (as <sup>a</sup> *Livie* reports) whatsoever man & wife dissentiously living came to sacrifice: They returned home againe in loue & amity. If my perswasions worke such effect, my labor is amply requited: and their sacrifice of a little time in reading not idly bestowed.

<sup>a</sup> Liv. hist.  
lib vrb  
cond. li. vlt.

FINIS.



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